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A COMPLEAT and IMPARTIAL

HISTORY

OF THE

IMPEACHMENTS

OF THE

LAST MINISTRY,

CONTAINING

All the *Articles* of *Impeachment*, and the *Answers* to the same at length; with the whole Proceedings, Debates, and Speeches, in Both Houses of Parliament, relating thereto,

WITH A

Large Introduction,

Shewing the *Reasons* and *Necessity* of the said Impeachments, from the Behaviour of the *High Church* and *Jacobite* Party, since his Majesty's happy Accession to the Throne, to the Breaking out of the *REBELLION*, both in *SCOTLAND* and *ENGLAND*.

By the AUTHOR *of the* ANNALS *of Queen* Anne.

The SECOND EDITION.

To which is added, the Earl of *Strafford's* Answer to the Articles exhibited against him, never before publish'd.

Rode, Caper, Vitem, tamen hinc, cum flabis ad Aras,
In tua quod fundi Cornua possit, erit. Ovid.

LONDON: Printed for JOHN BAKER at the *Black Boy* in *Pater-noster-row*, and T. VARNAM and J. OSBORNE at the *Oxford-Arms* in *Lombard-street*, MDCCXVI.

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BRITANNICVM

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Advertiſement.

I *Shall not, by a* Studied Preface, *endeavour to recommend this Book to the Publick: The very* Subject-Matter *of it, beſpeaks the Attention of all* True Britons; *and as for the Manner of handling it, all I can ſay for my ſelf is, That theſe* Sheets *are written with the ſame* Candor *and* Impartiality *which all* Unbyaſs'd, Unprejudic'd *Readers have found in my former* Hiſtorical Collections, *and which, without Vanity be it ſaid, many diſintereſted and worthy Perſons, have not diſdain'd to acknowledge.*

This Book containing a full Detection *of the* Meaſures *and* Steps *by which the* Late Miniſtry *endeavour'd to ſet aſide the* Succeſſion *in the moſt illuſtrious Houſe of*

Advertiſement.

Hanover, *and to betray their native Country to* Popery *and* Slavery, *it was once in my Thoughts to dedicate it to ſome of thoſe* great Patriots, *by whoſe* Penetration, Reſolution, Wiſdom, *and* Eloquence, *thoſe* wicked *and* impious Counſels *have been happily defeated. But having found by Experience, that* Dedications *to Men in Power, inſtead of recommending the Author, bring upon him the Suſpicion of* Partiality, *I have reſiſted the Temptation. Beſides, I am apt to flatter my ſelf, that what I have ſuffer'd, during the* Late Adminiſtration, *ſufficiently entitles me to the* Protection *of the* preſent Government: *And if what I have done, within my ſmall Sphere, to ſerve the* Hanoverian *Cauſe (Part of which will appear by ſeveral Papers annex'd to this Book) does not deſerve ſome Favours, I e'en deſpair of ever meriting any, by an* Epiſtle.

London, Dec. 10. 1715.

A. Boyer.

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THE

THE *HISTORY* OF THE IMPEACHMENTS OF THE Late MINISTRY.

The INTRODUCTION.

Shewing the REASONS and NECESSITY of the ſaid IMPEACHMENTS.

THE *Late Miniſtry* had fondly flatter'd themſelves, not only that their *Errors*, *Miſcarriages*, and *Offences*, would have been buried in Oblivion, upon K. *GEORGE*'s auſpicious and peaceable Acceſſion to the Throne; but, even, that they ſhould have an equal Share, with the reſt of their Fellow-ſubjects, in His Maj's Favour: But, to their Diſappointment, they ſoon found that their *Crimes* were of too deep a Dye, and too flagrant, to be either overlook'd or go

unpuniſh'd; and that His Majeſty was reſolv'd to purſue the conſtant Maxim of his Auguſt Family, *viz. To reward their Friends, do juſtice to their Enemies, and fear none but God.* It was obſerv'd, that the Duke of *Ormond*, who attended the King at his Landing at *Greenwich* (on the 18th of *September* 1714) was not admitted, with ſome other Lords, to ſee His Majeſty in private; and the next Morning, the Lord Viſcount *Townſhend* acquainted His Grace, *That His Majeſty had no Occaſion for his Service, in the Quality of Captain General.* This was, however, ſoften'd with a Declaration, *That His Majeſty would be glad to ſee His Grace at Court.* But the Duke's high Spirit could not brook ſo abrupt a *Diſmiſſion* from his Employments; and his natural Eaſineſs gave his *Ill-Adviſers* an Opportunity to heighten his *Reſentment*, to an almoſt avowed Diſaffection to His Majeſty's Perſon and Government.

The Earl of *Oxford*'s Diſgrace was no leſs apparent: His Lordſhip was not at *Greenwich* on the *Saturday* the King came aſhore, but tho' he was one of the earlieſt there the next *Sunday* Morning, yet he had the Misfortune to remain undiſtinguiſh'd, and diſregarded among the Crowd; and 'twas with much ado, he had the Honour to kiſs the King's Hand, without exchanging a Word with His Majeſty. This could not but be a ſenſible Mortification to a diſcarded Stateſman, who ſtill, to amuſe the World, had boaſted to his Acquaintance, *That he would be in as great Favour with King* GEORGE, *as ever he was with Queen* ANNE.

The Lord Chancellor *Harcourt*, the Lord *Trevor*, Mr. *Bromley*, and ſeveral other Perſons, met with no better Entertainment at *Greenwich*; and, indeed, it was unaccountable to Impartial Obſervers, how ſome People had the Aſſurance to ſhew their Faces at the Court of a Prince, whoſe Intereſt they had notoriouſly oppoſed, and whoſe Miniſters they had treated with the utmoſt Contempt.

As the Lord Viſcount *Bolingbroke* had the largeſt Share in this *Laſt Guilt*, and in ſome other Enormous Practices, ſo was he, ſome Weeks before, * removed from his Office of Secretary of State, with particular Marks of Diſpleaſure; Three Lords of the Regency having taken the Seals from him; ſecured his Papers; and ſeal'd up the Doors of his Office. He was ſo conſcious of his *Crimes*, that

* *Aug.* 31. 1714.

that he had not the Courage to ſtand the Preſence of a Prince, whoſe Indignation he had ſo juſtly deſerved.

On the other Hand, His Majeſty's firſt Care, after, and even before he had ſet Foot on *Engliſh* Ground, was to beſtow diſtinguiſhing Marks of Favour, on thoſe Perſons, who had diſtinguiſh'd themſelves by their Zeal for the common Good of *Europe* in general, and of their Country in particular; and by their unſhaken Affection to the Succeſſion in his Auguſt Family. And as none could come in Competition with the Party, call'd *Whiggs*, upon thoſe ſeveral Scores, ſo 'tis no wonder they had the largeſt Share in the good Graces of a grateful diſcerning Sovereign. The Duke of *MARLBOROUGH*, after an *Eclipſe* of near Three Years, which caſt a fatal Damp on the whole Confederacy, appear'd at *Greenwich* with his Priſtine Luſtre; and even brighter from his late undeſerved Diſgrace; being look'd upon (tho' not yet declared) as Captain General. The Dukes of *Somerſet*, *Bolton*, *Devonſhire*, *Argyle*, *St. Albans*, *Montroſe*, *Rutland*, and *Montague*; the Marquis of *Dorcheſter*; the Earls of *Pembroke*, *Dorſet*, *Lincoln*, *Bridgewater*, *Mancheſter*, *Wharton*, *Nottingham*, *Sunderland*, *Carliſle*, *Berkley*, *Portland*, *Scarborough*, *Orford*, *Cholmondley*, and *Hertford*; the Lords *Cowper*, *Sommers*, *Halifax*, *Pelham*, *Finch*, and *Lumley*; the Biſhop of *Salisbury*; General *Stanhope*, Mr. (*Robert*) *Walpole*, Mr. *Lechmere*, and a great many others, receiv'd alſo particular Marks of Diſtinction and Favour, both from the King and Prince Royal; and were afterwards, moſt of them, advanced to thoſe *Honours* and *Preferments* which their firm Adherence to the *Hanoverian* Succeſſion, in the Worſt of Times, had merited.

To this Purpoſe we muſt obſerve, that the *Late Miniſters* were ſo conſcious of their ill Conduct, and ſo ſenſible that in caſe the *Proteſtant* Succeſſion took place, they could not poſſibly eſcape Puniſhment, that the moſt Sanguine amongſt them reſolv'd to conſult their Safety by adding to their former Guilt, and by ſacrificing their Country to *Popery*, and *Arbitrary Government*. Tho', perhaps, no *Legal Proofs* can be produced of their Deſigns to ſet aſide the *Hanover* Family, and bringing in a *Popiſh Frenchify'd Pretender*, yet ſcarce any Man of common Underſtanding will call them into queſtion, who ſhall impartially conſider, that, during the Laſt

Twelve-month of the late Queen's Reign, Men were daily *liſted for the* Pretender's Service, both in *England* and *Ireland*, with, at leaſt, the Connivance of ſome Men in Power; that Perſons notoriouſly affected to that Intereſt were preferr'd to *Civil Employments*; that *Military Officers* were cloſetted, and tamper'd with *to ſerve the Queen, without asking Queſtions*, as the Phraſe then ran; and that thoſe who boggled to anſwer the Queſtion in the Senſe it was put to them, were either abſolutely diſmiſs'd; or, which was reckon'd a Favour, order'd to ſell their Poſts. The King, when yet Elector of *Brunſwick*, wanted no Informations of the traiterous Deſigns that were hatching to defeat his Succeſſion to the *Britiſh* Crown; and therefore it was but Juſtice, Prudence, and Gratitude in His Majeſty, upon his Acceſſion to the Throne, to remove them from publick Employments, and Places near his Royal Perſon and Family, who either knowingly, or through blind Infatuation, had ſhew'd their Inclinations to ſupport his *declared Enemies* in all their wicked, traiterous Meaſures; and, on the contrary, to advance his undoubted, try'd Friends, to Offices and Places of Truſt, Profit, and Honour. However, as 'twas then hoped that there were but few Accomplices in the horrid *Conſpiracy*, ſo it had been too ſevere to involve the whole *Tory Party*, in the *Guilt* and *Puniſhment* of ſome of their *flagitious Leaders*: And therefore, after having removed ſuch Perſons only as were moſt ſuſpected of *Diſaffection*, His Majeſty, like a beneficent, indulgent, common Parent, ſeem'd reſolv'd to *ſuppreſs* all Invidious *Diſtinctions of Parties*, and to beſtow his Favours on all, whom their *Abilities* and *Affection* to his Service, ſhould recommend to his Choice. Upon this *Scheme*, altho' Sir *Thomas Hanmer*, *Bart.* then Speaker of the Houſe of Commons, had, for ſome Time, ſeem'd to act in Concert with the *Late Managers*, yet as he had behav'd himſelf like the *Beſt of Patriots*, both in relation to the *Treaty of Commerce*, and the *Hanoverian* Succeſſion, His Majeſty was inclined to reward his Zeal and Affection, and to diſtinguiſh his Merit: But that Gentleman declined the Offer of the Place of *Chancellor* of the *Exchequer*; as Mr. *William Bromley*, Late Secretary of State did one of the *Tellers*, unleſs he could have it for Life; which would have ſet him free from any Engagements to the Court. Lieutenant General *Webb*, who, out of a

Pique

Pique to the Duke of *Marlborough*, had gone great Lengths with the Late Miniſtry, ſeem'd reſolv'd to retrieve his former Errors, by a more Prudent Conduct: For when he was firſt preſented to the King, His Majeſty having deſired, that he ſhould reconcile himſelf to the Duke of *Marlborough*, he readily obey'd, and paid a Viſit to His Grace, who received him very kindly: By which means, General *Webb* was continued in his Employments. The Duke of *Shrewsbury* preſerved alſo his Place of *Lord Chamberlain* of His Majeſty's Houſhold; and ſome other Noblemen and Gentlemen, who had ſided with the *Church-Party*, but were thought to be, nevertheleſs, well affected to the preſent Eſtabliſhment, were either coutinued in, or advanced to Conſiderable Poſts. But it ſoon appear'd, that a *Coalition* of *Parties*, which had ſo often before been unſucceſsfully attempted, was, at this Juncture, rendred more difficult than ever, and altogether impracticable, by the Ambition of a Nobleman, who preſuming too much on his Services to the Illuſtrious Houſe of *Hanover*, aſpired to no leſs than the Treaſurer's Staff: A Truſt which, in the preſent Conjuncture of Affairs, His Majeſty was wiſer than to place in any one Man's Hands.

The Diviſion and Jarring which early appear'd between ſome Great Men at Court, wonderfully raiſed the Spirits of the Diſaffected: To which Purpoſe we muſt obſerve, that tho' His Majeſty's auſpicious *Coronation* was, on the 20th of *October* 1714, perform'd with as numerous an Attendance of the Nobility, and Gentry, as had ever been known, and celebrated throughout all His Majeſty's Dominions with great Rejoicings: Yet, in ſeveral great Cities and Towns of *England*, the enraged *Jacobites* and *Malecontents* endeavour'd to raiſe Commotions among the People, by reviving the thread-bare Clamour of the *Church's Danger*. Hereupon, the King in Council, thought fit to ſign a *Proclamation* (dated *Nov.* 2d, 1714) *for the ſuppreſſing of Riots*, ſuggeſting, 'That of Late Years, ſeveral *Riots*, *Tumults*, and *Unlawful* 'Aſſemblies, had been in many Places of this Realm; and 'that there was great Reaſon to apprehend, that the ſame 'were promoted and encouraged by thoſe whoſe Duty it was 'to have prevented and ſuppreſs'd the ſame.' Which was a plain and juſt *Animadverſion* on the Conduct of the *Late Managers*.

On

On the other Hand, the *Diſcontented*, preſuming both on their Strength, and the *Lenity* of a *yet unſettled Government*, with great Induſtry cauſed ſeveral *Scurrilous* and *Seditious Libels* and *Pamphlets* to be diſpers'd, in order to infuſe Jealouſies into the Minds of the weak unthinking Multitude. Hereupon Sir *William Humfreys*, Lord Mayor of *London*, as became a wiſe, vigilant, and loyal Magiſtrate, exerted his Authority; and cauſed the *Hawkers*, who cry'd thoſe Libels about the Streets, to be committed to the Houſes of Correction, as Vagabonds: For which Seaſonable Zeal and Diligence his Lordſhip had *His Majeſty's* ſolemn *Approbation*, in a Letter from the Lord Viſcount *Townſhend*, (dated *Whitehall*, *Nov* 8.) intimating, withal, *That his Lordſhip would do an acceptable Service in continuing his beſt and moſt effectual Endeavours, towards ſuppreſſing entirely ſuch infamous and diſorderly Practiſes.* Purſuant to this Direction, the Lord Mayor and Court of Aldermen *order'd* Precepts to be ſent out, requiring the Conſtables and Beadles, to be diligent and careful to apprehend all Offenders, to be dealt with according to Law. A few Days after, (*viz. Nov.* 16. 1714.) the King in Council, all Juſtices of the Peace, and other Officers, were alſo order'd to put in Execution, with the utmoſt Rigour, the Laws in Force againſt Printers, Publiſhers, and Spreaders of falſe and ſcandalous Libels; Which Orders were ſo well executed, That in a few Days, the City of *London* was almoſt entirely rid of the *Peſtilent Vermine* of *Libel-Cryers*, and ſcandalous *Ballad-Singers*. But, yet, the mercenary Pamphleteers of the *Jacobite* Party were ſtill as bold as ever; And, among the reſt, an empty, putid *Imitator* of the *Villainous*, but *Ingenious* Authors of the the late *Examiner*, began, about this Time, to publiſh a Weekly Paper with the *ſame Title*; but which had nothing in it; except the *Scurrility*, and *Inſolence* of the *former*.

The *Pretender's* Friends and Agents thought this a proper Opportunity both to inflame the *Diſcontents*, and feel the Pulſe of the Nation: And accordingly, about the Middle of *November*, they publiſh'd in ſeveral Languages (*viz. Engliſh*, *French*, and *Latin*,) and diſpers'd with great Induſtry, the following Declaration:

JAMES

JAMES, *R.*

JAMES *the Third*, &c. *To all Kings, Princes and Potentates, and our Loving Subjects, Greeting.*

'IN such an extraordinary and important Conjuncture, in 'which not only our *Hereditary Right* to our Crowns 'is so unjustly violated, but the Interest of all the Sovereign 'Princes of *Europe* is so deeply concerned, We could not be 'silent without being wanting to Our Self and Them.

'Every Body knows, that the Revolution in the Year '1688 ruined the *English* Monarchy, and laid the Founda-'tion of a *Republican Government*, by devolving the Sovereign 'Power on the People, who *assembled themselves without any* 'Authority, *voted themselves* a Parliament, and assumed a 'Right of *Deposing* and *Electing Kings*, contrary to the 'Fundamental Laws of the Land, and the most express and 'solemn Oaths that *Christians* are capable of taking; and 'no Body can be ignorant, how unjustly the King Our 'Father, of Blessed Memory, suffered by this *unjustifiable* 'Revolution.

'After his Demise, his Crowns which the Prince of *Orange* 'had usurp'd, being then rightfully Ours, according to the 'Fundamental Laws of the Land, we immediately claimed 'Our Right to the same by a Declaration, under Our Great 'Seal, dated at St. *Germains* the 8th of *October* 1701; and 'as soon as it pleased Divine Providence to enable us to 'attempt the Recovery thereof, we readily embraced the 'Occasion, and 'tis sufficiently known, the Miscarriages of 'that Expedition could not be imputed to us.

'When we found after this, that a Treaty of Peace was 'upon the Point of being concluded, without any Regard 'had to Us, We published Our *Protestation*, dated at St. 'Germains, the 25th of *April* 1712, in the most solemn and 'authentick Manner, Our Circumstances would then allow 'of, asserting thereby Our incontestable Right to Our 'Crowns, and protesting against whatever might be stipula-'ted in the said Treaty to Our Prejudice.

'Tho' we have been obliged since that Time to remove 'from *France* to a remoter Place, we have still continued 'to have Our Kingdoms and our People in our View; to 'whom we are convinc'd, That God in His Mercy will sooner 'or later restore Us, notwithstanding the Malice and Open

'Rebellion

'Rebellion of ſome, and the forced Compliances of others. 'We have never ceaſed to hope, that God wou'd in Time 'open Our People's Eyes, and convince them, not only of 'the notorious Injuſtice done to the Crown and Us, but of 'the dangerous Conſequence thereof for Themſelves. It is 'not Our Intereſt alone We are concerned for: Our Na-'tural and unalterable Love for Our People is ſuch, that as 'we could not ſee, without Grief, their Blood and *Treaſure 'laviſh'd in the laſt War, in Oppoſition to Our undoubted 'Right*, ſo we cannot now with leſs Sorrow ſee them ex-'pos'd to be ſubjected to an Arbitrary Power, and become a 'Prey to *Foreigners.*

'Beſides that the Elector of *Brunſwick* is one of the re-'moteſt Relations We have, and conſequently one of the 'remoteſt Pretenders to Our Crowns after Us, 'tis evident, 'that nothing is more Oppoſite to the Maxims of *England*, 'in all Reſpects, than that unjuſt Settlement of the Succeſ-'ſion upon his Family. He is a Foreigner, a *Powerful Prince*, 'and Abſolute in his own Country, where *he has never met 'with the leaſt Contradiction from his Subjects*; he is ignorant 'of Our Laws, Manners, Cuſtoms, and Language, and ſup-'ported by a good Army of his own People, beſides the Aſ-'ſiſtance which a *Neighbouring State* is oblig'd to grant him 'upon Demand, *and many Thouſands of Aliens refug'd in* 'England *theſe Thirty Years paſt, who having their Depen-'dance wholly upon him, will be ready to ſtand by him upon all 'Occaſions.*

'Moreover, what can our Subjects expect but endleſs 'Wars and Diviſions, from ſubverting ſo Sacred and Funda-'mental a Conſtitution as that of *Hereditary Right*, which 'has ſtill prevailed againſt all Uſurpations, how ſucceſsful 'and for how long Time ſoever continued: The Govern-'ment finding ſtill no reſt till it return'd again to its true 'Center? And how can they be ignoraat of the juſt Pre-'tenſions of ſo many other Princes, that are before the 'Houſe of *Hanover*, whoſe Right, after Us, will be as un-'doubted as our own; and who neither want Will nor 'Power to aſſert it in their Turns, and to entail a perpe-'tual War upon Our Kingdoms, with a Civil War in their 'own Bowels, which their Diviſions will make unavoidable?

'From

'From all which it is plain, our People can never enjoy 'any lasting Peace or Happiness, till they settle the Succes-'sion again in the Right Line, and recal Us, the Immediate 'Lawful Heir, and the Only Born *Englishman* now left of 'the Royal Family.

'This being certainly the true Interest of *Great Britain*, 'we had reason to hope, that a wise People would not have 'lost so natural an Occasion of recalling us, as they have 'lately had, since they could not but see by all the Steps we 'have hitherto made, that we had rather owe our *Restoration* 'to the Good Will of our People, than involve them in a 'War, tho' never so just: Besides, they know, or might 'have known the reiterated inviolable Assurances we have gi-'ven them under our Hand, that whensoever it should please 'God to restore us, we wou'd make the Laws of the Land 'the Rule of our Government, and grant to our Subjects a '*general Indemnity* for whatsoever has been done, contrary 'to the said Laws, and all the Security and Satisfaction they 'could desire for the Preservation of their Religious Rights, 'Liberties, and Properties: *Yet contrary to our Expectations, 'upon the Death of the Princess our Sister (of whose good In-'tentions towards us we could not for some Time past well doubt; 'and this was the Reason We then sat still, expecting the good Ef-'fects thereof, which were unfortunately prevented by her de-'plorable Death)* we found, that our People, instead of ta-'king this favourable Opportunity of retrieving the Honour 'and true Interest of their Country, by doing us and them-'selves Justice, had immediately proclaim'd for their King a 'foreign Prince, to our Prejudice, contrary to the funda-'mental and inconteſtable Laws of *Hereditary Right*, which 'their *pretended Acts of Settlement* can never abrogate.

'After this Height of Injustice, we then thought our selves 'bound in Honour and Duty, and indispensibly oblig'd, by 'what we owe to Our Self, to our Posterity, and to our Peo-'ple, to endeavour to assert our Right in the best manner we 'could: Accordingly, upon the first Notice sent Us, We 'parted from our ordinary Residence, in Order to repair to 'some Part of our Dominions, and there to put our self at 'the Head of such of our loyal Subjects as were dispos'd to 'stand by us, and defend us and themselves from all foreign 'Invasion: But in our passing through *France* to the Sea-

'coasts, we were there not only refus'd all Succour and Assistance, upon account of the Engagements that King is under by the late Treaty of Peace, but were even debarr'd Passage, and obliged to return back to *Lorrain*.

'After meeting with such sensible Disappointments on all Sides, the only Comfort left Us is, that we have done our part, at least, to attain our just Ends, and have nothing upon that Score to reproach our self with; and as our Cause is just, we doubt not but God will, in His own due Time, furnish us with new Means to support it; and that He will, at least, touch the Hearts of our Subjects with a true Sense of the crying Injuries they have done Us and themselves, and move them effectually to return to their Duty?

'We likewise hope, that all *Christian* Princes and Potentates, who are now in Peace together, will reflect upon the dangerous Example is here given them, and the formidable Effects they are threaten'd with from such an united Force, as that of *England* and *Hanover*; and that they will seriously consider, whether the exorbitant Power that now accrues to the House of *Brunswick*, be consistent with the *Ballance of Power* they have been fighting for all this late War? And therefore we call on them for their Assistance for the Recovery of our Dominions, which their Interest, as well as Honour, engages them to grant to us, as far as they are able.

'In the mean time, in the Circumstances we are in, we have nothing left in our Power to do at present, but to declare to the World, that as our *Right is indefeasable*, so we are resolv'd, with the Help of God, never to depart from it but with our Life: And we here solemnly protest again, in the strongest manner we are capable of, against all Injustice that has been, or shall hereafter be done to the Prejudice of us, our lawful Heirs and Successors, reserving and asserting by these Presents, under our Great Seal, all our Right, Claims, and Pretensions whatsoever, which do and shall remain in their full Force and Vigour. Declaring that after this we shall not think our self accountable before God or Man, for the pernicious Consequence, which this new Usurpation of our Crown may draw upon our Subjects and upon all *Christendom*. *Given at our Court at* Plom-

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'bieres, *the 29th Day of* August 1714, *and in the Thirteenth* 'Year of our Reign.

The Dukes of *Marlborough*, *Argyle*, and *Shrewsbury*, the Earls of *Nottingham*, and *Sunderland*, the Lord Viſcount *Townſhend*, and ſeveral other Perſons of Diſtinction, having on the 13th of *November*, receiv'd, by the Mail from *France*, Printed Copies of the ſaid *Declaration*, they thought it their Duty to deliver the ſame into the Hands, either of His Majeſty, or of the Secretaries of State. But, a few Days after, the ſaid *Declaration* was publiſh'd, with *Remarks* upon it, by Dr. *Tyndal*, a Perſon of undoubted Affection to the preſent Settlement.

The *unlucky Inſinuation* of the late *Queen's good Intentions towards the* Pretender, being a high Reflection on the Memory of that Princeſs, who, upon all Occaſions, and in the moſt ſolemn manner, had declared, *She had nothing more at Heart than the Succeſſion of the Houſe of* HANOVER; moſt of the *Tories*, and even ſuch among the *Jacobites* as were not in the Secret, gave out at firſt, that the ſaid *Declaration* was *ſpurious*, and a meer Contrivance of the *Whigs*, both to aſperſe the Queen and her Miniſtry, and to influence the future Elections for Members of Parliament: But it ſoon manifeſtly appear'd that the ſaid *Piece* was *genuine*, and intended by the *Pretender's* Friends, to ſpirit up his Party in *Great Britain* and *Ireland*.

At this very Juncture, the Marquis *de Lamberti*, the Duke of *Lorrain's* Miniſter, came over to *England*, to pay a Compliment from his Maſter to the King: But it being reaſonably ſuſpected that the *Pretender's Declaration* was printed in *Lorrain*, under the Countenance, if not with the Approbation of that Duke; the Lord Viſcount *Townſhend*, one of His Majeſty's Principal Secretaries of State, intimated to the Marquis *de Lamberti*, by the King's Command, 'That it was in-'conſiſtent with His Majeſty's Honour and Dignity, as well 'as Intereſt, to admit to an Audience the Miniſter of a 'Prince, who, at that very Juncture, gave Shelter and Pro-'tection to a *Pretender* to His Majeſty's Crown, and an open 'Enemy to his Dominions.' The Marquis tranſmitted the Lord *Townſhend's* Letter to the Duke of *Lorrain*; and about the Beginning of *December* O. S. receiv'd from his Maſter

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'Moreover, what can our Subjects expect but endless Wars and Divisions, from subverting so Sacred and Fundamental a Constitution as that of *Hereditary Right*, which has still prevailed against all Usurpations, how successful and for how long Time soever continued: The Government finding still no rest till it return'd again to its true Center? And how can they be ignoraat of the just Pretensions of so many other Princes, that are before the House of *Hanover*, whose Right, after Us, will be as undoubted as our own; and who neither want Will nor Power to assert it in their Turns, and to entail a perpetual War upon Our Kingdoms, with a Civil War in their own Bowels, which their Divisions will make unavoidable?

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the following Letter, dated at *Nancy* the 6th of *December*, 1714, N. S.

I *Believe, Sir, you no ways doubt of my being extremely surprized to hear by the Courier which came from you, that when you applied to My Lord* Townshend *to obtain an Audience, that Minister made answer, That since the Chevalier* de St. George *remained still in my Dominions, the King thought fit to forbid you the Court. In case His Majesty should continue in this disagreeable Resolution with respect to me, I must submit to his Pleasure, and you have nothing else to do but to return hither as soon as you are able. However, you are first to apply to the Duke of* Marlborough *and to the King's Ministers, desiring them to lay before His Majesty the unfortunate Situation I am in, if after having been so ready to let the King know the Part I take in his Accession to the Crown of* England, *and after having been one of the first to make my Compliments and shew my Zeal on this Occasion, all* Europe *should be acquainted that His Majesty has some reason to be dissatisfy'd with me: That I cannot conceive whence this should proceed, since as to the Chevalier* de St. George, *the World knows by what means he came into this Country: That every one is informed of the Situation of my Territories, which are surrounded and cut through on all Sides by* France: *That 'tis known how I had no share in his coming into my Country; that I neither invited him to come thither, nor could I force him to go away: That lately upon the Death of Queen* Anne, *I knew nothing of his leaving* Bar *till Twelve Hours after he was gone from thence; and that I knew nothing of his Return to* Bar *till after he was come back; as a Traveller that goes backwards and forwards in an open Country, and intermixt with other Territories, as mine is: That as to the Manifesto or Declaration dated at* Plombieres, *which the Chevalier* de St. George *had got printed, I knew nothing more of it, than that he gave me one after it had been published: But that really I am am much concerned to hear from you, that it has been reported that the same Manifestoes have been spread abroad by you or by those of your Retinue. I own to you that I am extremely concern'd at this, and that in some sort it seems to be a Design to make me uneasy, to give out that either I or my Servants meddled in such an Affair.*

These

These are the Reasons which I have to offer, and which I would have you desire those Gentlemen to lay before the King; in hopes they will convince His Majesty of my most respectful Adherence to him, and that His Majesty will be pleased to admit you to an Audience.

But if, contrary to my Expectation, the King will not grant you an Audience, you are to come away, having desired the Ministers to let the King know the Concern I am under, and that I hope His Majesty will please to accept of my good Intentions and the early Care I took to shew him the inviolable Zeal I have for him.

This is all you will have from me, I am, &c.

When the Marquis *de Lamberti* communicated this Letter to the Lord *Townshend*, he, at the same, expres'd 'his 'Master's deep Concern at this unlucky Affair, which ob-'structed the Friendship and good Understanding he had 'so early sought with his *Britannick* Majesty, for whom he 'ever entertain'd the highest Esteem and Veneration. And 'he likewise expres'd his own particular Concern, and the 'great Mortification it was to him, not to be admitted to 'a Court, he had so great a Desire to be made known to.' He was answer'd, '*That it was not out of any Prejudice to 'his Person, nor even to the Person of his Master, for whom 'the King had a great Esteem; But that as Affairs stood at 'present, tho' his Excuses were, in some Measure, allowable, 'yet his Majesty was the best Judge of what was consistent 'with his own Honour and Dignity; And as his Majesty, was 'likewise sensible of the Duke's Readiness to seek and culti-'vate a Friendship with his Majesty, so, the King wish'd that 'the Causes which obstructed the same, at present, might be 'speedily removed.*" The Marquis *de Lamberti* finding by this Answer that His Majesty insisted on the Removal of the *Pretender* from the Dominions of *Lorrain*, before he would admit him to Audience, took his Leave of my Ld. *Townshend*, and on *Monday* the 13th of *December*, set out in his return Home. 'Twas confidently reported, That in Answer to that Part of the Duke of *Lorrain*'s Letter, wherein he alledges, That *his Territories are surrounded and cut through on all Sides by* France; *and that he neither invited the* Pretender *thither nor could he force him to go away:* His Majesty's Minister produced to him a Paper transmitted hither by Mr.

Prior,

Prior, and deliver'd to him by the Marquis *de Torcy*, whereby the moſt *Chriſtian* King declared, *That he neither did, nor would, in any Manner concern himſelf with the* Pretender: Which, Declaration being directly contradictory to the Duke of *Lorrain*'s Allegation before-mention'd, it amounts to a Demonſtration, that there was a *State-Juggle*, in this Affair.

By this Time, the *Treaſonable Scheme* of ſetting aſide the *Hanoverian* Succeſſion, and bringing in a *Popiſh Pretender* was ſo manifeſt, That on the 6th of *December*, 1714, *upon an humble Application from the Arch-Biſhops and Biſhops of* England, His Majeſty thought fit to *appoint the* 20th *of* January *next, for a publick Thankſgiving to Almighty God, for His great Goodneſs in bringing him to a peaceable and quiet Poſſeſſion of the Throne of* Great Britain, *and thereby diſappointing the Deſigns of the* Pretender, *and the wicked Contrivances of his Adherents, to defeat His Majeſty of His undoubted Right to the Imperial Crown of this Realm, and to ſubvert the Eſtabliſh'd Conſtitution in Church an State.* At the ſame Time, his Majeſty ſigned another Proclamation *for Putting the Laws in Execution againſt* Papiſts *and* Nonjurors: Which, however, through the Neglect of ſeveral Lukewarm or Diſaffected Juſtices of the *Peace*, and other Inferior Magiſtrates, was not put in Execution. The Indulgence of the Government raiſed the Spirits of the *Jacobites* to ſuch a Degree of Inſolence, as to inſult His Majeſty in his own Palace: For on *Saturday* the 11th of *December* 1714, one *James Carnaby*, an *Iriſh Papiſt*, formerly a Stage-Player, utter'd theſe Treaſonable Words, in the Court at St. *James*'s, *viz. That the* Pretender, (whom he called *James* III.) *was the true and lawful King*, and *that the Elector of* Brunſwick *had no Title to the Crown.* The Soldier who ſtood Centry at the Colours, having cauſed him to be apprehended, Colonel *Guiſe*, who commanded the Guard, order'd him to be kept under Arreſt, judging him to be either Drunk, or Mad; But, the next Morning, *Carnaby* perſiſting in his traiterous Aſſertions, the Colonel made his Report to the Secretary of State, by whoſe Warrant *Carnaby* was committed to *Newgate*.

As ſoon as the Glut and Hurry of Domeſtick Affairs was ſomewhat abated, and the King found an Interval to caſt

an

an Eye Abroad, one of his Majesty's first Cares was to recal the Earl of *Strafford*, one of the most forward and bold Instruments of the last Ministry, who still continued at the *Hague*, with the Character of Ambassador Extraordinary; and Plenipotentiary. The States General having appointed the last Day of *December* 1714, *N. S.* for his publich Audience of Leave, he was conducted thither with great Pomp, and his Lordship made a Speech, in which there were some very *remarkable Strokes*. Having told their High Mightinesses, That, *from the First Day of his Embassy, he had endeavour'd to confirm them in the Opinion, that a strict Union with the Crown of* Great Britain, *could not but be very advantageous and even necessary to them*: He added, their *High Mightinesses, would easily conceive*, that after about *Thirteen Years employ'd in Embassies, having always met with the entire Approbation of his Sovereigns, it must be a great Pleasure to him, that he could now return Home, and enjoy the present Happiness of his Country. But* that *he return'd with so much the more Satisfaction, because he had that of seeing the successful Issue of his Negotiations.* That, *'twas true, there yet remain'd the Signing of the Peace between* Spain *and* Portugal; *as* well as *the Reconciling the Differences between the Emperor and that Republick, touching the* Barrier: *But, in the mean While, he saw with Pleasure, That their State began already to feel the good Effects of the Peace; and that their High Mightinesses were entirely Safe, and free from the Apprehensions wherein he found them upon his Arrival at the* Hague, *of the Events of a long, a bloody, and a burthensome War. That as he had always very sincerely wish'd the Prosperity, and Safety of that Republick, He could not silently pass over the Satisfaction he reap'd, from the many Opportunities he had, during the Course of his Negotiations, of giving very essential Proofs thereof, and of having done that Republick very considerable Services: Which was more particularly known to some worthy Members of that State, who had honour'd him with their Friendship, and would not be backward in doing him Justice upon that Score.* Concluding, That *he had nothing more to do, only to thank their High-Mightinesses for the Favour they had shewn him, during his Stay there; and to assure Them, that he should always retain a very grateful Remembrance of it; and never fail, when he was in his own*

Country,

Country, as he had ever done elſewhere, to do all that lay in his Power to cheriſh the good Harmony and Union between the Two Nations. Tho' the States did not entirely agree with his Lordſhip, as to the Notions he ſeem'd to entertain both of his *paſt Services* to their Republick, and of his *future Intentions* and Power to cheriſh the Union of the Two Nations, yet the Preſident of the Week return'd him a very Civil Anſwer. But as ſoon as his Lordſhip's Speech was made publick, the glaring Strokes of *Vanity* and *Self-conceit* contain'd in it, did not eſcape Cenſure; And when his Lordſhip arrived came to *England*, he did not meet with that Welcome at Court, which, from his *Boaſting Speech*, he ſeem'd to expect. For tho' he arrived in *London* on *Friday* the 31ſt of *December* 1714, *O. S.* yet he was not admitted to wait on the King till *Monday* the 3d of *January*, and was then but coldly receiv'd. Not many Days after, His Majeſty having thought fit to have the Earl of *Strafford*'s Papers, relating to his publick Negotiations laid before the Council, and examin'd. the Lord Viſcount *Townſhend*, one of His Majeſty's Principal Secretaries of State, was ſent to his Houſe to demand the ſame. The Earl was extremely ſurprized with this Meſſage; expoſtulated with the Lord *Townſhend* about it; and refuſed to comply with his Demand, unleſs he had a ſpecial Order from the Council in Writing. Hereupon the Earl of *Strafford* was ſummon'd to attend the Council, and after he had been examin'd, His Majeſty was pleaſed to make the following Order.

At the Court at St. *James's*, *the Eleventh Day of* January 1714, Preſent, the King's moſt Excellent *Majeſty* in *Council.*

IT *was this Day thought fit, and accordingly ordered by His Majeſty in Council, That the Right Hon. Lord Viſcount* Townſhend, *and* James Stanhope, *Eſq; Principal Secretaries of State, do forthwith repair to the Right Hon. the Earl* Strafford, *and receive from his Lordſhip the Original Inſtructions and Orders, and all Letters which he has received from any Miniſter of the late Queen, or any Foreign Prince or Miniſter, and Copies of all Inſtructions of which he has not the Originals, and alſo of all Letters writ by him to any Perſon whatſoever relating to his Negotiations, from the time of his firſt being at the* Hague, *ſealed up with his Lordſhip's Seal, and*

to

to tranſmit them to the Council Office, to be there ſafely kept and ſealed up by the Lord Preſident's Seal. In caſe the ſaid Papers ſhould be too numerous to be now brought away, then they are to be ſealed up by the ſaid Secretaries of State in a proper Box, till they can be conveniently deliver'd to the ſaid Secretaries in manner aforeſaid.

Chriſtopher Muſgrave.

Purſuant to this Order the Two Secretaries above mention'd went immediately to the Earl of *Strafford*'s Houſe, and receiv'd from him Two Trunks, ſaid by him to contain what was required. At the ſame Time, Orders were ſent for ſealing up his Lordſhips Papers that were yet on Ship-Board, or at the Cuſtom-Houſe, coming from *Holland*; Which, being ſomewhat unuſal, occaſion'd much Talk, and various Reflections. 'Twas alſo confidently reported, That the Duke of *Shrewsbury*, (who was ſaid to be perſonally concern'd to ſtave off all Inquiries into the Conduct of the late Miniſtry) ſpoke againſt the ſeizing of the Earl of *Strafford*'s Papers, as a Proceeding altogether unprecedented, but was over-ruled, and told, *That the preſent Caſe was likewiſe unprecedented, and abſolutely required it.*

Three Days before (*viz. January* the 8th) the Lord Mayor, with the reſt of the Lieutenancy of the City of *London*, introduced by the Lord Viſcount *Townſhend*, preſented the following Addreſs to His Majeſty.

To the KING's moſt Excellent Majeſty.

The humble Addreſs of the Lord Mayor, and the reſt of Your Majeſty's Commiſſioners of Lieutenancy for your City of *London*.

PErmit us, moſt gracious Sovereign, with the profoundeſt Humility and Submiſſion to ſay, we always thought the Preſervation of the Trade of the Kingdom, and the Ballance of Power in Europe, *to be the main Motives for the late War. A Cauſe ſo juſt was favoured by Heaven; and the Arms and Virtue of the Troops of* Britain, *with thoſe of her Confederates, prevailed with ſuch a Train of unparalleled Succeſſes, that we concluded our ſelves upon the Point of being Happy to the utmoſt of our Wiſhes.*

But when we were juſt ſeizing the Prize of our Conqueſts, with Horror we call to mind, that the Britiſh *Arms were ſur-*

prizingly withdrawn, and our faithful Allies abandoned---- Sad were the Conſequences that enſued!

The Reputation of the Kingdom was ſunk to Contempt, the humble Stile of the Enemy was quite altered, and France from being in a Condition of ſuing for a Peace, became the Dictator of it to thoſe that had Conquered: The People were mocked with Aſſurances of being Free from the Danger of a Neighbouring Fortreſs, and the beſt Branches of their Trade were Exchanged for Chimeras.

Our Holy Church too was in Danger of being given up to Popery, our Civil Rights to Tyranny, and the way preparing for the Pretender.

All that had been gained by a Profuſion of Blood and Treaſure, in a glorious and ſucceſsful War, was thrown up, and a Free-born People brought within View of Slavery, when the Almighty once more interpoſed, by ſeating on the Throne Your Sacred Majeſty, His great Vicegerent.

We Your Majeſty's moſt Dutiful Subjects can never think of that Providential Period of Time, in which the Kingdom was thus relieved from Diſtreſs, by Your Majeſty's moſt happy Acceſſion to the Imperial Crown of Great Britain, but our Hearts are full of unutterable Tranſports of Joy.

We think our ſelves ſnatcht from Perdition, and eſtabliſhed upon a Rock of Security: Credit, (the beſt Indication of the People's Satisfaction) ſprings up again, and the Spoils and Remains of our Commerce and Property, are, we hope, recovering and enlarging.

We ſee a Proteſtant Prince on the Throne, adorn'd with high Virtues, and bleſſed with a numerous Progeny of Proteſtant Succeſſors, Defenders of the Faith, and the Eſtabliſhed Church, which is planted, and now again fenced in by the Right Hand of God.

We cannot forbear, now we are at Your Majeſty's Feet upon this happy Occaſion to tender our hearty Thanks for the Honour conferred upon us by your Royal Commiſſion; and we aſſure Your Majeſty that the Power entruſted with us, is in the Hands of ſuch as were never tainted with any Inclination to the Pretender; ſuch as ever had in Deteſtation thoſe who meant Ill to the Proteſtant Succeſſion, or the Author of it, our other glorious Deliverer King William; ſuch as being Lovers of the Church and State, are ready to defend Both with the Arms committed

committed to their Charge; and ſuch as devoutly pray, that Your Majeſty and your Royal Iſſue may reign over this Kingdom, and all other Your Majeſty's Dominions, till Time ſhall be no more.

To which His Majeſty was pleaſed to make the following Moſt Gracious Anſwer:

I Thank you for this Addreſs, in which you expreſs ſo much Duty and Loyalty to me, and ſo juſt a Concern for the Honour and Intereſt of your Country.

This Addreſs, from ſo conſiderable a Body, and the King's Anſwer, made a great Noiſe throughout *Great Britain*, being generally look'd upon as the Fore runner of IMPEACHMENTS in the Enſuing Parliament. However, the Late *Managers* ſeem'd to recover freſh Courage, even from their approaching Danger: For the Lord Viſcount *Bolingbroke* being, about this Time, come to Town, ſeveral Interviews and Conferences paſs'd between him and the Late Lord Chancellor, the Biſhop of *Rocheſter*, the Duke of *Ormond*, the E. of *Strafford*, Mr. *Arthur Moore*, and (as ſome pretend) the Earl of *Oxford:* Wherein, no Doubt, they conſulted how to weather the impending Storm. But tho' the Chiefs of the *Tory Party* may be allow'd not to have been wholly diſpirited, yet ſome of them muſt be own'd to have been entirely loſt to all Prudence, and Policy, in writing, printing, and diſperſing a *Libel*, which contradicted all their *Pretences* and *Profeſſions* of Loyalty and Affection to King *GEORGE*, and the preſent Settlement. The *Libel* I mean was intitled, ENGLISH *ADVICE TO THE FREEHOLDERS OF* GREAT BRITAIN; and ſeem'd to be the *laſt Effort of a Deſperate SINKING PARTY*, being, indeed, but a Compound of *malicious Slanders, notorious Forgeries, and Treaſonable Suggeſtions:* So that the Publiſhing of it, inſtead of ſerving their Turn, for whoſe Benefit it was intended, would undoubtedly have had a quite contrary Effect, at leaſt with all *Good Men*, and fix'd an *Indelible Odium* on thoſe very Perſons it was calculated to juſtify. However, there being but too many among the *unthinking Multitude*, who by *former Deluſions*, and a continued Train of *Intoxication*, were prepared to receive any *Infection*; and not a few others, who, for want of proper Means of Information, might have been impos'd upon by the *fallacious Pretences* of

that *Libel*; the Government thought fit to ſuppreſs it by the following *PROCLAMATION for diſcovering the Author, Printer, and Publiſhers of a malicious and traiterous Libel, intitled,* Engliſh Advice to the Freeholders of *England*; *and for preventing Riots and Tumults at the enſuing Elections of Members to ſerve in Parliament.*

GEORGE, *R.*

WHereas *we have receiv'd Information, that a moſt malicious and traiterous Libel, intitled,* Engliſh Advice to the Freeholders of *England, has lately been printed and diſperſed throughout our Kingdoms with the utmſt Induſtry; nevertheleſs, by the Care and Vigilance of our Magiſtrates, great Numbers thereof are intercepted in our City of* Exon, *ſome being directed to Sir* John Coriton, *Sir* Nicholas Morice, Jonathan Elford, *Eſq*; Philip Raſhley, *Eſq*; Francis Scobell, *Eſq*; John Williams, *Eſq*; *Mr.* Granville Piper, *Mr.* Welſhman, *Mr.* William Cary, *Mr.* Prouſſe, *Mr.* Phillips, *Mr.* Tonkin, *Mr.* Cunnock Kendall *reſpectively, in our County of* Cornwall; *others thereof to the Reverend Mr.* Shute, *the Reverend Mr.* Hughes, *the Reverend Mr.* Collyer, *and the Reverend Mr.* Bedford *reſpectively, in our ſaid County; and others thereof to the Mayor of our Borough of* Weſtloe *in our ſaid County; whereby, as well as from the Contents of the ſaid Libel, we are convinced that the ſame is a wicked Contrivance, meant not only to ſpread Sedition, and to inflame the Minds of our loving Subjects, but alſo by alienating their Affections from us and our Government, to promote the Intereſt of the* Pretender, *and in Order thereto, to raiſe Diſturbances in the approaching Elections of Members to ſerve in Parliament. We being reſolved, as far as in us lies, to bring the Authors and Contrivers of ſuch traiterous Deſigns to condign Puniſhment, and to deter all others from the like Attempts for the future, have, thought fit, by the Advice of our Privy-Council, to iſſue this our Royal Proclamation, hereby promiſing a Reward of One Thouſand Pounds to any Perſon or Perſons, who ſhall diſcover the Author or Authors of the ſaid traiterous Libel, to any one of our Principal Secretaries of State; and the Sum of Five Hundred Pounds to any Perſon or Perſons, who ſhall diſcover the Printer or Printers thereof, as aforeſaid, to the end that ſuch Author or Printer may be proſecuted according to Law: Which reſpective*

Rewards

Rewards our Commissioners for executing the Office of Treasurer of the Exchequer, *are hereby directed to pay accordingly. And we do hereby strictly charge and command all our Magistrates in and throughout our Kingdom of* Great Britain, *that they do make diligent search and enquiry after the said Author, Printer, or Publishers; and that they do apprehend and seize the said Persons, and all others whom they shall find dispersing the said Libel, and give proper Information thereof, so as the said Offenders may be dealt with as the utmost Rigour of Justice requires.*

And whereas there is nothing which we so earnestly desire, as to secure the Peace and Prosperity of our Kingdoms, and to preserve to all our loving Subjects the full Enjoyment of their Rights and Liberties, as well Religious as Civil, and in a most particular manner the Freedom of their Elections of Members to serve in Parliament; and being satisfied that the same hath been of late Years greatly invaded by the Encouragements which have been given to Tumults, Riots, and other indirect Practices in the Elections of Members to serve in Parliament; and it being most apparent, that such evil-minded Persons are now fomenting and carrying on the same dangerous Practices, we do hereby declare our highest Resentment and Displeasure against all such illegal Proceedings, strictly prohibiting the same, as being most injurious to our Government, and to the fundamental Rights of our People. And we do further charge and command all our Sheriffs, Justices of the Peace, Chief Magistrates in our Cities, Boroughs, and Corporations, and all other our Officers and Magistrates throughout our Kingdom of Great Britain, *that they do, in their several and respective Stations, take the most effectual care to suppress and prevent all Riots, Tumults, and other Disorders, which shall be raised or made by any Person or Persons whatsoever, at or in the approaching Election of Members to serve in Parliament, and that they do put the Laws in execution against all Offenders in that Behalf. And we do further require and command all and every our Magistrates aforesaid, that they do, from Time to Time, transmit to one of our Principal Secretaries of State, due and full Informations of all such Persons who shall be found offending, as aforesaid, or in any Degree aiding or abetting therein; it being our Royal Resolution to punish the same according to the utmost Severity of Law.*

Given at our Court at *St. James's*, the 11th Day of *January* 1714, in the First Year of our Reign.

The

The *ſcurrilous* and *malicious* Reflections caſt on the *King*, and the Royal Family, in the *Treaſonable Libel* mention'd in the foregoing Proclamation, was a plain Indication, That the *Concurrence* of ſome leading Men among the *Tories*, in *Proclaiming* and *Inviting* over the *Proteſtant* Succeſſor, was more owing to the Neceſſity of their Circumſtances, and the Confuſion they were in, upon the late Queen's ſudden Death, than to their *Inclination* and *Affection* to the Auguſt Houſe of *Hanover*. This is certain, That the ſaid *Virulent Libel*, which by many was judg'd to be written by a turbulent, fiery Prelate, was a very improper Means for the *Tories* to ingratiate themſelves with the King; and that on the contrary, it could not but fix the *Whigs* in His Majeſty's Favour.

An Inſtance of this appear'd, a few Days after, in the following PROCLAMATION, *for Calling a New Parliament*:

GEORGE, *R.*

'IT having pleaſed Almighty God, by moſt remarkable 'Steps of His Providence, to bring us in Safety to the 'Crown of this Kingdom, notwithſtanding the Deſigns of 'Evil Men, who ſhew'd themſelves Diſaffected to our Suc-'ceſſion, and who have ſince, with the utmoſt Degree of 'Malice, miſrepreſented our firm Reſolution and uniform 'Endeavours to preſerve and defend our moſt Excellent 'Conſtitution both in Church and State, and attempted by 'many Falſe Suggeſtions to render Us ſuſpected to our Peo-'ple; we cannot omit, on this Occaſion of firſt Summoning 'Our Parliament of *Great Britain* (in Juſtice to Our Selves) 'and that the Miſcarriages of others may not be imputed 'to Us, at a Time when Falſe Impreſſions may do the greateſt 'and irrecoverable Hurt before they can be cleared up) to 'ſignifie to Our whole Kingdom, That we were very much 'concerned, on our Acceſſion to the Crown, to find the 'publick Affairs of Our Kingdom under the greateſt Dif-'ficulties, as well in reſpect to our Trade and the Inter-'ruption of our Navigation, as of the great Debts of the 'Nation, which We were ſurprized to obſerve, had been 'very much encreaſed ſince the Concluſion of the laſt War. 'We do not therefore doubt, that if the enſuing Elections 'ſhall be made by Our Loving Subjects with that Safety

'and

'and Freedom which by Law they are entitled to, and We 'are firmly reſolved to maintain to them, they will ſend 'up to the Parliament the fitteſt Perſons to redreſs the pre-'ſent Diſorders, and to provide for the Peace and Happi-'neſs of Our Kingdoms, and the Eaſe of Our People for 'the future, and therein will have a particular Regard to 'ſuch as ſhew'd a Firmneſs to the *Proteſtant Succeſſion*, when 'it was moſt in Danger. We have therefore found it Ne-'ceſſary, as well for the Cauſes aforeſaid, as for other 'Weighty Conſiderations concerning Us and our Kingdoms, 'to call a New Parliament, and we do accordingly declare, 'That with the Advice of our Privy Council, we have this 'Day given Order to our Chancellor of *Great-Britain*, to 'iſſue out Writs in due Form for the Calling a New Par-'liament; which Writs are to bear Teſte on *Monday* the 'Seventeenth Day of this Inſtant *January*, and to be Re-'turnable on *Thurſday* the Seventeenth Day of *March* next 'following.

Given at Our Court at St. *James's*, the Fifteenth Day of *January* 1714, in the Firſt Year of Our Reign.

This Proclamation, (which ſo plainly expreſs'd His Majeſty's juſt Reſentment both of the baſe, and traiterous Means, by which the Diſaffected endeavour'd to aſperſe his Royal Perſon, and Government, and of the *Miſcarriages* of the late Miniſtry) open'd the Eyes of Abundance of People, who had been deluded by the Artifices of the *Tools* of *Iniquity*; and prepared them to chuſe ſuch Men to repreſent them in Parliament, as would ſtrictly enquire into thoſe *Miſcarriages*.

On *Thurſday*, the 20th of *January*, being the Day appointed for a General Thankſgiving to Almighty GOD, for the King's happy and peaceable Acceſſion to the Throne, His Majeſty, with their RR. HH. the Prince and Princeſs of *Wales*, attended by the chief Officers of State, Privy Counſellors, others of the Nobility, and ſome of the foreign Miniſters, went from St. *James's* Palace to the Cathedral Church of St. *Paul's*, where after Divine Service, and the Singing of *Te Deum*, an excellent Sermon was preach'd by the Right Reverend Dr. *Richard Willis* Lord Biſhop of *Glocester*.

But,

But, the ſame Day, a Seditious Sermon was preach'd at St. *Andrew's*, *Holbourn*, by a noted *Incendiary*, who, at this Juncture, ſeem'd to be employ'd *to raiſe the ſame Spirit of Diſcord and Rebellion which occaſion'd ſuch Confuſion and Diſtraction in the late Reign. Thoſe who heard it, averr'd, that the Preacher, inſtead of exciting the People to thank God for His Majeſty's happy Acceſſion to the Crown, directly reflected upon His Majeſty's Adminiſtration, and obliquely on his Royal Perſon: Nor was he wanting to charge the Court, the City, and Army with Debauchery, in ſuch a manner as beſpoke him to be poſſeſs'd with a Spirit of Calumny and Slander, and not with a true Goſpel Spirit, to reprove, in order to reform, had he been certain of the Matter of Fact. He charg'd it upon the Miniſtry as a horrid Crime, that they had adviſ'd to appoint the Thankſgiving on that Day, when King* Charles I. *was firſt brought to his Tryal; than which there can be no greater Proof of the Incendiaries, Madneſs and Folly; for it can never be ſuppos'd that his Majeſty and his Miniſters wou'd appoint a Thankſgiving on that Day with any View to juſtify that a legal Tryal which iſſued in the Ruin of the Monarchy; For if they had, the 30th of* January, *which was ſo near, had been much more proper; but the Malice of the Faction, made them capable of ſtraining every Thing to a wrong Senſe, in order to inflame the Minds of the People, to alienate their Affections from the King and his Government, and to promote the Intereſt of the* Pretender.

The Elections for Parliament-Men drawing on, both *Whigs* and *Tories* beſtirr'd themſelves, with unuſal Application, Diligence, and Induſtry, to get Men of their reſpective Intereſts and Principles choſen in the City of *London*, which generally has a great Influence on remote Elections. The *Whigs* or *Court-party*, expected to have carried it for Sir *John Ward*, and Sir *Thomas Scawen*, Aldermen, and *Robert Heyſham*, and *Peter Godfrey*, Eſqrs. Commoners and Merchants, without any Oppoſition; but tho the *Tories* were divided among themſelves as to the Choice of their Candidates, yet on the 19th of *January*, they at laſt reſolved to ſet up Sir *William Withers*, Sir *John Caſs*, Sir *William Steuart*, and Sir *George Mertins*, Knights and Aldermen. The Election being appointed to come on the 24th of *January*, a LETTER *to the Livery-men of the City of* London,

was,

was, that Day, disper's'd, which had the desired Effect: And there was so great an Appearance of the Citizens for the Four *Merchants* at *Guild-Hall*, that they were declared to have the Majority. However, a Poll being demanded for the Four *Tory* Candidates, the same began that Afternoon, and continued till the 29th of *January*, when the Four Merchants were declared duely chosen. In the City of *Westminster* Edward *Wortley Montague*, Esq; one of the Lords Commissioners of the Treasury, having join'd Interest with Sir *Thomas Crosse*, Bart. they were both chosen, on the 24th of *January*, without any Opposition, as were in *Southwark*, *John Lade* and *Fisher Tench*, Esq; so that the first Elections went undisturb'd in Favour of the *Whigs*. The *Tories* being enraged at the Progress of their Antagonists, resolv'd to use all Methods to put a stop to it: And accordingly having got a great Mobb on their Side at *Brentford*, where the Election for the County of *Middlesex* came on the 27th of *January*, those who came for the *Whig* Candidates, Sir *John Austin*, and *Henry Barker*, Esq; were so deterr'd by the Insults of the rude, unruly Multitude, (who were encouraged and set on by several Clergy Men) that great Numbers of them went away without giving their Votes: By which Means, the High-Church Candidates, *viz.* The Honourable *James Bertie*, and *Hugh Smithson*, Esq; had the Majority of Votes.

This Success confirm'd the *Tories* in their fond Hopes, that they would carry most, if not all the Elections for the Counties; but even in in these many of the *Whigs* were chosen. Among the rest, *William Hillersdon*, Esq; was elected one of the Knights, for *Bedfordshire*; *Richard Hampden*, Esq; for *Bucks*; *John Bromley*, Esq; for *Cambridgeshire*; The Hon. *Langham Booth*, Esq; for *Cheshire*; *Gilfred Lawson*, and *James Lowther*, Esqrs. for *Cumberland*; *John Hedworth*, Esq; for *Durham*; *Thomas Middleton*, Esq; for *Essex*; *Matthew Ducie Morton*, and *Thomas Stephens*, Esquires for *Gloucester-Shire*; *John Bigg*, and *Robert Pigot*, Esqs. for *Huntingtonshire*; The Hon. *Thomas Mildmay Fane*, and *William Delaune*, Esqs. for *Kent*; *Thomas de Grey*, Esq; and Sir *Jacob Astley*, Knt. for *Norfolk*; The Earl of *Hertford*, for *Northumberland*; The Lord *Finch*, and the Hon. *John Noel*, Esq; for *Rutland Shire*; The Lord Viscount *Newport*, and Sir *Robert Corbett*,

Bart. for *Shrop-Shire*; *John Wallop*, and *George Pitt*, Esquires for *Southampton*; The Lord *Paget* and *John Ward*, Esq; for *Staffordshire*; Sir *Richard Onslow*, Baronet for *Surry*; *James Boteler*, and the Hon. *Spencer Compton*, Esqrs. for *Sussex*; *Daniel Wilson*, Esq; for *Westmoreland*; and *Thomas Vernon*, Esq; for *Worcester-shire*. As to the Towns and Boroughs in *England*, the *Whigs* had generally a Majority of Two to One; and in the County of *Cornwall*, out of 44 Members 32 of the *Court-Party* were chosen, which was chiefly owing to the great Interest and Indefatigable Industry of *Hugh Boscowen*, Esq; Comptroller of His Majesty's Household. Of *Sixteen Barons* of the *Cinque-Ports*, One only *avow'd Tory* was chosen; And tho' in *Wales*, the Elections were almost equally divided between both Parties, yet 'tis remarkable, that the Earl of *Oxford*'s Interest, which some Time carried all before it, was now fallen so low, that his Son, the Lord *Harley*, lost it at the Town of *Radnor*, where his Father, and Ancestors had constanly been chosen, Time out of Mind. As for the Elections of *Scotland*, the Majority was still greater on the side of the *Whigs*; and, in the Main, in Proportion of Seven to One. 'Twas observ'd that, in some Places, the *Tories* used extraordinary Methods to support their *Declining Party*; and particularly, that at the Election for the County of *Kent*, which came on *Tuesday* the 8th of *February*, some Dignify'd Clergy-men, who came to vote for Sir *Edward Knatchbull*, Bart. and Mr. *Hart*, against Mr. *Fane* and Mr. *Delaune*, (the Two *Whig* Candidates) had a CHURCH made of *Paste-Board*, carried on a *Hop-Pole* before them to *Pickington-Heath*; But nevertheless the *Whigs*, who had all *Laurels*, the *Token* of *Victory*, in their Hats, carried it, in *Effect*, by a great Majority.

However, this Election was fair and quiet, whereas in several Places the *Discontented Party* were very turbulent, and asserted their boasted Principles of *Non-resistance* and *Passive Obedience*, by *Tumults* and *Riots*: At the Election for the County of *Leicester*, a Mob appear'd for Sir *Jeffrey Palmer*, and Sir *Thomas Cave*, the two *Tory* Candidates, and abused and wounded several Friends of *Thomas Bird* and *George Ashby*, Esq; who were set up by the Well-wishers to the present happy Establishment; because they generously refused the Bribes that were offer'd them to vote the other Way.

Moreover,

Moreover, the Under-ſheriff was aſſaulted; had part of his Cloaths burnt; was threaten'd to be ſtabb'd, if he did not make a Return for the Two Knights, before the Poll was half ended; and, with great Difficulty, eſcaped with his Life. The like tumultuous and unwarrantable Practices were uſed at ſeveral other Elections, particularly at *Cambridge*, *Banbury*, *Pontefract*, *Minehead*, *Shaftsbury*, *Hertford*, *&c.* All which were varniſh'd over with the ſpecious Pretence of *Zeal for the Church*.

On the other hand, the Electors, in ſeveral Places, drew up *Directions* or *Inſtructions* for their *Repreſentatives* in *Parliament*. Thoſe which were given by the Gentlemen and Freeholders of *Buckinghamſhire*, to *John Fleetwood* and *Richard Hampden*, Eſquires, who on the Second of *February* were choſen without Oppoſition, are as follows:

GENTLEMEN,

'AS we have now repoſed a very great Truſt in you by 'our unanimous Choice of you, to repreſent us in 'Parliament at this extraordinary Juncture, it is but reaſona- 'ble that you ſhould know our Sentiments, and what it is we 'expect from you.

'We cannot but obſerve to you, that when the late Trea- 'ty of Peace was ſet on foot, we were in very flouriſhing 'Circumſtances; we had been bleſſed by an uninterupted 'Courſe of Succeſs: Every Campaign yielded us new Victo- 'ries, and added new Fortreſſes to the Barrier of our Al- 'lies; our Enemy was quite diſpirited, and durſt not look 'our Troops in the Face: We had taken moſt of his ſtrong 'Holds, and were juſt entring into the Heart of his Coun- 'try: We promis'd our ſelves that the next Campaign would 'reduce him to beg Peace on any Terms, and would finiſh the 'War with Safety and Glory to us and our Allies: There 'was nothing requiſite to the Honour and Intereſt of *Great* 'Britain, but might have been expected from a Treaty com- 'menced with ſuch a Superiority of good Fortune on our 'Side.

'But inſtead of this, the Peace was no ſooner finiſh'd, and 'produc'd, but we found our ſelves in Worſe Circumſtances 'than at the Beginning of the War: We ſaw *Spain* and the '*Weſt-Indies* (the very Prize we were contending for) deli-

'ver'd up to a *French* Prince: The ſtrong Towns we had won 'with much Blood and Treaſure, given back to *France*; our 'Allies moſt perfidiouſly abandon'd and betray'd; the grand 'Alliance utterly diſjointed; and our Trade in great meaſure 'ruin'd, and given away to our Enemies: The *French* King 'took upon him to treat us juſt as if he had been the Conque-'ror, and we ſubmitted, as if we had been conquer'd: The '*Pretender* conceiv'd new Hopes, inliſted great Numbers of '*Iriſh Papiſts*, and would, probably, e're this time, have in-'vaded us, had it not pleaſed Almighty God to diſappoint him, 'by eſtabliſhing the Elector of *Brunſwick* on the Throne of '*Great Britain*.

'We do therefore, in the firſt place, expect that you will 'enquire, how our Affairs came to take this ſudden and unhap-'py Turn: And if, upon Examination, you ſhall find that our 'late gracious Queen was deceiv'd and abus'd by her Mini-'ſters, and the Nation betray'd and ſold, we expect that you 'will do all that in you lies to bring the Offenders to Juſtice; 'that ſo the Honour of *Great Britain* may be repair'd, and 'that wicked Miniſters may hereafter be deterr'd by ſuch Ex-'amples, from ſacrificing their Country to their Avarice and 'Ambition.

'We do, in the next place, recommend to your Examina-'tion the Affair of *Dunkirk*. The Demolition of that For-'treſs and Harbour was propounded as the great Allurement 'to the Peace, but now we find our ſelves deceiv'd in that; 'foraſmuch as we are aſſured that a New *Dunkirk* is riſen out 'of the Ruins of the Old; and that *Mardyke* (which is a 'Mile and a Half diſtant from it) is by immenſe Coſt, made 'a Port altogether as dangerous to our Trade and Navigation 'as *Dunkirk* was. If the Managers of the late Peace did not 'foreſee this, they were very Weak and Unskilful Stateſ-'men; but if they did, they were very treacherous to their 'Country, in not providing againſt it in the Treaty; and in 'that Caſe we hope you will take cognizance of it.

'We likewiſe deſire you to enquire into the Application of 'the Publick Money ſince the Ceſſation of Arms. We are 'inform'd, that Greater Sums have been given in Two Paci-'fick Years, than were given in any Two of the moſt ſucceſs-'ful Years of the War; and that notwithſtanding this, the 'Debts of the Nation are not diminiſhed.

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'In the last place, we earnestly importune you to consider of, and provide some Severer Law for preventing the great 'Expence and Corruption in electing Members of Parliament. 'This is every Day growing to that Excess, that those honest 'Gentlemen who are best qualify'd to represent us, will soon 'grow weary of the Burthen, and decline standing. Elections are now become meer Markets, where the Highest 'Bidder is sure to carry it. If some Stop be not put to this 'wicked and mercenary Practice, it must end in the Ruin of 'our Constitution; for they that buy us, will not fail, one 'time or other, to sell us.

'By your Care and Diligence in these Enquiries, you will 'discharge the Duty you owe to us whom you represent, and 'will deserve well of your Country.

The *Instructions* given *by the Citizens of* London *to their Representatives for the ensuing Parliament*, and subscribed by many thousand Hands, are as follows:

'WE the Citizens of *London*, who have cheerfully elected you to represent us in Parliament, and thereby committed to your Trust the Safety, Liberty, Property, 'and Privileges, of us and our Posterity, think it our Duty, 'as it is our undoubted Right to acquaint you, what we desire and expect from you, in Discharge of the great Confidence we repose in you, and what we take to be your Duty, 'as our Representatives.

'1. We desire and expect, that you will enquire by whose 'Counsels it was, that after God had blessed the Arms of Her 'late Majesty and her Allies with a Train of unparallel'd Successes, she was prevailed upon, contrary to the grand Alliance, and her repeated Promises from the Throne to Both 'Houses, to send to, or receive Managers from *France*, to 'treat separately of a Peace, without the Knowledge or 'Consent of our Allies.

2. By whose Advice the Emperor's Minister, the Count *de 'Gallas*, was discharg'd the Court, for resenting and opposing 'those separate Negotiations, contrary not only to the grand 'Alliance, but to the Queen's particular Assurances to his 'Master.

'3. By whose Advice the *Whig Ministry* and Parliament, 'and the Duke of *Marlborough*, were turned off, contrary to

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'the Assurances which Her Majesty had given to her Allies, as 'well as to some of the chief Citizens of *London*, Directors 'of the Bank of *England*, *&c.* who honestly told Her Ma-'jesty, that it would sink the publick Credit, as it actually 'did.

'4. By whose Advice His Majesty's Memorial, deliver'd by 'his Minister the Baron *de Bothmer*, against those clandestine 'and separate Negotiations, was disregarded, and the said 'Minister affronted.

'5. By whose Advice and Management our Confederates 'were condemned without a Hearing, and their Memorials 'on that Account, disregarded.

'6. By whose Advice and Management Her Majesty was 'prevailed upon to come to a Cessation of Arms with our 'common Enemy, and then so surprizingly to withdraw our 'Troops from those of the Allies, which was attended with 'such dismal Consequences.

'7. By whose Advice and Management all that we had 'gained by a Profusion of Blood and Treasure, in a glorious 'and successful War, was thrown up, just as we were seizing 'the Prize of our Conquest; and a free born People brought 'within the View of Slavery.

'8. By whose Advice and Management our Constitution 'was struck at, by creating Twelve new Lords at once, to 'carry a Vote in the Upper House.

'9. By whose Advice it was, that the Treaty with the '*Dutch* for settling our common Barrier in the *Netherlands*, 'and making them Guarantees for the *Protestant* Succession, 'was enervated, and a new Treaty, which weaken'd both 'Securities, made in its Place.

'10. By whose Advice and Management we were mocked 'with Assurances of being free from Danger of the neigh-'bouring Fortress of *Dunkirk*; and whether the Late Mini-'stry, or any of them, did agree that the *French* King should 'make a New Harbour at *Mardyke*, as Part of the Equivalent 'for demolishing the Fortifications and Harbour of *Dunkirk*.

'11. By whose Advice and Management the best Branches 'of our Trade were exchang'd for Chimera's, and the Ruin 'of the whole endanger'd by a vile Treaty of Commerce 'with *France*.

'12 How the Expedition to *Canada* came to miscarry; 'and by whose Advice Her Majesty, contrary to her Procla-

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'mations publiſhed in *New England*, &c. for encouraging 'that Expedition, came to allow the *French* to keep their In-'tereſt in *Canada*, to ſell that in *Newfoundland*, and to ſettle 'on *Cape Breton*, to the great Detriment of our Fiſhing-'Trade, and to the manifeſt Danger of all our Plantations in '*North America*.

'13. By whoſe Advice it was that the Confederates were 'refus'd to be invited to be Guarantees to the *Proteſtant* Suc-'ceſſion, though Her Majeſty had promis'd it in her Anſwer 'to the Addreſs of Both Houſes, in 1708.

'14. By whoſe Advice it was that His now Royal High-'neſs, *GEORGE*, Prince of *Wales*, was deny'd the Liberty 'to come, and take his Place in Parliament, when the Pre-'ſence of One of the Illuſtrious Family of *Hanover* was ſo 'abſolutely neceſſary to quiet the Minds of the People, and 'to ſecure us from the juſt Apprehenſions we had of Danger 'from the *Pretender*.

'15. By whoſe Advice it was, that His Majeſty's Mini-'ſter, Baron *Schutz*, was diſcharg'd the Court, becauſe he 'demanded the Writ.

'16. By whoſe Advice Sir *Patrick Lawleſs*, the *Preten-'der*'s Agent or Envoy, was entertain'd at Court, at the 'ſame Time, and honourably convey'd beyond Sea, ſoon after 'it was complain'd of in Parliament.

'17. By whoſe Adviſe and Management our Holy Church 'was in Danger of being given up to *Popery*, our Civil 'Rights to Tyranny, and the Way prepared for the *Pre-'tender*.

'18. By whoſe Advice the *Jacobite* Clans in *Scotland*, were 'arm'd and kept in pay, and that the Levies of Men for the '*Pretender* in *Great Britain* and *Ireland* were ſo long con-'niv'd at?

'19 By whoſe Miſmanagement it was, that the publick 'Affairs of the Kingdom are brought under the greateſt 'Difficulties, as well in reſpect to our Trade, and the In-'terruption of Navigation, as of the great Debts of the 'Nation, which have been much increaſed ſince the laſt War, 'as His Majeſty has been graciouſly pleaſed to inform us, in 'his Proclamation for calling a New Parliament.

'20. We alſo deſire and expect that you concur in de-'manding an Account, how the Money rais'd by Parliament,

'has

'has been expended ſince the Change of the Miniſtry, '1710.

'21. That you not only concur in ſuch Enquiries, but alſo 'in a Parliamentary Way, to bring ſuch to Juſtice as ſhall be 'found guilty of theſe Miſmanagements; this being a Duty 'owing to our ſelves as well as our Confederates, and indiſ-'penſably neceſſary for retrieving the Honour of the Nation, 'and reſtoring a due Confidence and Harmony amongſt all 'the Allies.

*'22. That you concur in making ſuch Laws as ſhall be 'thought further neceſſary to ſecure His Majeſty's Poſſeſſion, 'and the Succeſſion of his Royal Poſterity, againſt all Pre-'tenders, and ſuch Maxims and Doctrines as have been ad-'vanc'd by any of our Clergy, or others, for ſupporting the 'pretended Claim, or indefeaſible Hereditary Right.

'23. That you concur in making ſuch Laws as ſhall be 'thought neceſſary for the further Security of the Churches 'of *England* and *Scotland*, as they are ſeverally by Law eſta-'bliſh'd; and for ſuppreſſing thoſe groundleſs and ſeditious 'Clamours of the *Church of* England *'s being in Danger* under 'His Majeſty's Adminiſtration.

'24. That you concur in giving the King ſuch Aids, as ſhall 'be thought neceſſary for enabling His Majeſty to defend the 'Nation, to ſupport and retrieve our Trade, and to keep the 'Ballance of *Europe*, which is threaten'd with a new War, 'by the Intrigues of the Common Enemy.

'25. And *laſtly*, We deſire and expect that you concur in 'ſuch Laws as ſhall be thought neceſſary for uniting His Maje-'ſty's *Proteſtant* Subjects, and particularly for making the 'Toleration allow'd to *Proteſtant Diſſenters* inviolable, and to 'eaſe them of the Hardſhips they have been brought under by 'Men of Arbitrary Principles and Reſtleſs Paſſions, becauſe 'of their firm Adherence to the Civil Liberties of the Nation, 'and eſpecially to the *Proteſtant* Succeſſion when it was moſt 'in Danger.

Theſe *Inſtructions*, for an Enquiry into the *pernicious Conduct* of the Late Miniſtry, appear'd ſoon after to be the *collective Senſe* of the *Commons* of *Great Britain*. On *Thurſday* the 17th of *March*, the Parliament met at *Weſtminſter*, according to the Writs of Summons; and, Four Days after, the King having approved the Choice the Commons had made

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of *Spencer Compton*, Esq; for their Speaker, His Majesty, by the Mouth of his Lord Chancellor, made the following Speech to Both Houses.

'*My Lords and Gentlemen*,

'THis being the First Opportunity that I have had of 'meeting my People in Parliament, since it pleased 'Almighty God, of His Good Providence, to call me to the 'Throne of my Ancestors, I most gladly make use of it to 'thank my Faithful and Loving Subjects, for that Zeal and 'Firmness that hath been shewn in Defence of the *Protestant* '*Succession*, against all the *open* and *secret Practices* that have 'been *used to defeat it*; and I shall never forget the Obliga-'tions I have to those who have distinguished themselves upon 'this Occasion.

'It were to be wished that the unparallel'd Successes of a 'War, which was so wisely and cheerfully supported by this 'Nation, in Order to procure a Good Peace, had been at-'tended with a Suitable Conclusion: But it is with Concern I 'must tell you, that some Conditions, even of this Peace, es-'sential to the Security and Trade of *Great Britain*, are not 'yet duely executed; and the Performance of the Whole 'may be look'd upon as precarious, until we shall have 'formed Defensive Alliances to guaranty the present Trea-'ties.

'The *Pretender*, who still resides in *Lorrain*, threatens 'to disturb us, and boasts of the Assistance which he 'still expects here, to repair his former Disappoint-'ments.

'A great Part of our Trade is render'd impractica-'ble; this, if not retrieved, must destroy our Manufa-'ctures, and ruin our Navigation.

'The publick Debts are very great, and surprizingly 'increased, even since the *fatal Cessation of Arms*. My 'First Care was to prevent a further Increase of these 'Debts, by paying off forthwith a great Number of 'Ships, which had been kept in Pay, when there was 'no Occasion for continuing such an Expence.

Gentlemen of the Houſe of Commons,

'I rely upon you for ſuch Supplies as the preſent Circumſtances of Our Affairs require for this Year's Service, and for the Support of the Publick Faith; the Eſtimates ſhall be laid before you, that you may Conſider of them, and what you ſhall judge Neceſſary for your Safety, I ſhall think ſufficient for mine.

'I doubt not but you will concur with Me in Opinion, that nothing can Contribute more to the Support of the Credit of the Nation, than a ſtrict Obſervance of all Parliamentary Engagements.

'The Branches of the Revenue, formerly granted for the Support of the Civil Government, are ſo far Incumbred and Alienated, that the Produce of the Funds which remain, and have been granted to me, will fall much ſhort of what was at firſt deſigned for maintaining the Honour and Dignity of the Crown; And ſince it is my Happineſs (as I am Confident you think it yours) to ſee a Pr. of *Wales*, who may in due Time ſucceed Me on the Throne, and to ſee Him bleſſed with many Children, the beſt and moſt valuable Pledges of Our Care and Concern for your Proſperity, this muſt Occaſion an Expence to which the Nation has not of many Years been accuſtomed; but ſuch as ſurely no Man will grudge: And therefore I do not doubt but you will think of it with that Affection which I have Reaſon to hope for from you.

My Lords and Gentlemen,

'The Eyes of all *Europe* are upon you, waiting the Iſſue of this Firſt Seſſion. Let no Unhappy Diviſions of Parties here at Home, divert you from Purſuing the Common Intereſt of your Country. Let no Wicked Inſinuations Diſquiet the Minds of my Subjects. The Eſtabliſhed Conſtitution in Church and State ſhall be the Rule of my Government; The Happineſs, Eaſe and Proſperity of my People, ſhall be the chief Care of my Life. Thoſe who Aſſiſt me in Carrying on theſe Meaſures, I ſhall always Eſteem my beſt Friends, and I doubt not but that I ſhall be able, with your Aſſiſtance, to diſappoint the Deſigns of thoſe who would deprive Me of that *Bleſſing*, which *I moſt Value, the Affection of my People.*

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As ſoon as the King was withdrawn, and the Commons gone back to their Houſe, the Lords reſolv'd to preſent an Addreſs of Thanks to His Majeſty, which, the next Day, (*March* 22.) the Committee appointed to draw up the ſame, reported as follows:

Moſt Gracious Sovereign,

WE *Your Majeſty's moſt Dutiful and Loyal Subjects, the Lords Spiritual and Temporal in Parliament Aſſembled, beg Leave to preſent to Your Majeſty our moſt humble and hearty Thanks for Your Majeſty's moſt gracious Speech to Your Houſes of Parliament, and to aſſure Your Majeſty, that altho' we met together with Hearts deeply Senſible of the Goodneſs of Divine Providence to us in Bringing Your Majeſty with Safety, and at ſo Critical a Juncture, to the Throne of Your Anceſtors; Yet we could not but become ſtill more affected with that Ineſtimable Bleſſing, when we heard ſo very Affectionate Expreſſions from Your Majeſty towards Your People; ſo clear and full Aſſurances from a Prince of ſuch known Honour and Juſtice, that the eſtabliſh'd Conſtitution in Church and State ſhall be the Rule of Your Government; and ſo juſt and tender a Concern for our not having obtain'd thoſe Advantages by the Peace, which would have been but a ſuitable Concluſion to ſo glorious and ſucceſsful a War; nor as yet a due Execution of ſome Conditions, even of that Peace, Eſſential to the Security and Trade of this Kingdom.*

We are affected with Wonder, as well as with a juſt Reſentment, that a Pretender *to Your Majeſty's Crown ſhould be yet permitted to reſide ſo near Your Dominions, eſpecially after his publick Boaſting of an Aſſiſtance he expects here, and his Avowing a Deſign to Invade this Your Majeſty's Kingdom.*

We are but too ſenſible, that our Trade is rendred Impracticable in the moſt Valuable Branches of it, and of the Ill Effects that muſt have upon our Manufactures and Navigation: But Your Majeſty may be aſſur'd, nothing ſhall be wanting on our part that may any way conduce to the Retrieving it.

Theſe and other Difficulties Your Majeſty hath met with on Your Acceſſion to the Crown (and which we muſt obſerve, in Juſtice to Your Wiſdom and Foreſight, would have been Prevented, had Your Opinion been followed) we muſt confeſs are

very Great and Diſcouraging; however we do not doubt, but that Your Majeſty, Aſſiſted by this Parliament, Zealous for Your Government, and the Safety and Honour of their Country, may be able to take ſuch further Meaſures, as will ſecure what is due to us by Treaties, eaſe our Debts, preſerve the Publick Credit, reſtore our Trade, extinguiſh the very Hopes of the Pretender, *and recover the Reputation of this Kingdom in Foreign Parts; the Loſs of which, we hope to convince the World by our Actions, is by no means to be imputed to the Nation in general.*

And theſe good Ends cannot fail of being obtain'd, by Your Majeſty's purſuing with Steadineſs, as You have begun, the true Intereſt of this your Obedient and Affectionate People; And Your Majeſty may, by God's Bleſſing, depend, that in Conjunction with ſo Loyal a Parliament, You will be able to lay Foundations that can never be moved, not only of the Security and Glory, but even of the Eaſe and Tranquility of Your Government, and that of Your Majeſty's Poſterity, for which we offer up our moſt ardent Prayers, that it may for ever continue to Reign after Your Majeſty on the Throne of theſe Kingdoms, and in Hearts of a People truly Happy, and fully Senſible of their being ſo.

After the Reading of this Addreſs there aroſe a great Debate in the Houſe, chiefly about theſe Expreſſions, *And recover the Reputation of this Kingdom in Foreign Parts; the Loſs of which, we hope to convince the World by our Actions, is by no means to be imputed to the Nation in general.* The Lord *Tervor*, the Lord Viſcount *Bolingbroke*, the Earl of *Strafford*, the Dukes of *Buckingham* and *Shrewsbury*, the Earl of *Angleſey*, the Arch Biſhop of *York*, the Biſhops of *London* and *Briſtol*, and ſome other Peers, excepted againſt that Clauſe, alledging, among other Things, 'That the ſame 'was injurious to the late Queen's Memory and even claſhing 'with that Part of His Majeſty's Speech, which recommend-'ed to Both Houſes, the Avoiding *all unhappy Diviſions of* '*Parties.*" The Lord *Bolingbroke*, in particular, made a long Speech, wherein he expreſs'd the heartieſt and deepeſt Concern for the Memory of the late Queen, his moſt Excellent Miſtreſs, which, he ſaid, he would 'do all in his Power to 'vindicate. That he had the Honour to be one of Her 'Servants, and if he had done any Thing amiſs, he would

'be

'be contented to be puniſh'd for it; But that he thought 'it very hard to be cenſured and condemn'd without being 'heard.' His Lordſhip took this Occaſion to ſay a great Deal in Praiſe of the King, 'That his Majeſty had ſeveral 'Times expreſs'd a great Reſpect and Tenderneſs for the 'late Queen's Memory; and was a Prince of ſo great Wiſ-'dom, Equity and Juſtice, that, he was ſure, His Majeſty 'would not condemn any Man, without hearing what he 'had to ſay for himſelf; That ſo Auguſt an Aſſembly ought 'to imitate ſo great a Pattern:' And upon theſe, and other, Reaſons, His Lordſhip moved that the Words *recover*, &c. might be ſoften'd into thoſe of *maintain the Reputation of this Kingdom*; and that the reſt of the Paragraph might be left out. The Earl of *Strafford* alſo excepted againſt that Clauſe, urging among other Reaſons, that the ſame 'would 'expoſe the Honour of the Nation Abroad, which, he 'was ſure, had ſuffer'd no Diminution during his Negoti-'ations. The Duke of *Shrewsbury* ſaid in particular, 'That 'the Houſe of Peers ought, on all Occaſions, to be moſt ten-'der, of the Honour and Dignity of the Crown, from which 'they derive their own Honour and Luſtre; That when 'the like Clauſe was inſerted in an Addreſs of the Houſe 'of Commons to the late Queen, upon the Death of King '*William*, he had expreſs'd to ſeveral Members of that 'Houſe his Diſlike of it, becauſe it reflected on the Memo-'ry of that Prince; and, for the ſame Reaſon, he was now 'againſt the ſaid Clauſe.' Theſe, and other Arguments urg'd on that Side, were anſwer'd, by the Marquis of *Wharton*, the Lord Chancellor, the Earl of *Nottingham*, and his Brother the Earl of *Ailesford*, the Duke of *Devonſhire*, and ſome other Peers, who expreſs'd all the Reſpect and Reverence for the late Queen's Memory; rightly diſtinguiſh'd between *Her*, and Her *Miniſtry*; and ſupported the Clauſe in Queſtion by Arguments drawn from the Miſ-managements of the latter, hinted at in His Majeſty's Speech. My Lord Chancellor, in particular, confuted the Objections raiſed by the Lord *Bolingbroke*, and, among other Things, ſaid, 'They 'did not condemn any particular Perſon, but only the '*Peace* in general, becauſe they felt the Ill Conſequences of 'it; That they who adviſed and made ſuch a Peace, deſerv'd, 'indeed, to be cenſured, but that the Words in the Addreſs

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'being general, no Private Perſon was affected by them: 'And that the Alteration of the Word *Recover* into that of '*Maintain*, would ſignify no more towards the *Juſtification* 'of the *Guilty*, than the Word *Recover* towards the *Con-demnation* of the *Innocent*. Upon the whole Matter, the Queſtion being put whether the Addreſs ſhould be recommitted or no; the Negative carry'd it by a Majority of Sixty Six Voices againſt Thirty Three. The next Day (*March* 23) the Houſe of Lords, in a Body preſented their Addreſs to the King, who return'd the following Anſwer:

'*My Lords*,

'I Thank you heartily for this Addreſs: Your Duty and 'Loyalty to me can never be better expreſs'd, than by 'ſhewing a juſt Concern for the Reputation and Intereſt of 'the Nation, ſince I have no other Thought or View, but to 'promote the Proſperity and Happineſs of my People.

The Speaker of the Houſe of Commons having, the ſame Day (*March* 23.) reported His Majeſty's Speech, *Robert Walpole*, Eſq; ſtood up, and made a very eloquent Speech, in which he ſet forth in lively Colours, the great Happineſs of theſe Nations by His Majeſty's ſeaſonable Acceſſion to the Crown; ran through the *Miſmanagements* of the Four Laſt Preceding Years; and concluded with a Motion for an *Addreſs of Thanks* to the King, conformable to the ſeveral Heads of His Majeſty's Speech. He was ſeconded by the Lord *Inchingbroke*; and none but Sir *William Whitlocke* having raiſed any Objection againſt Mr. *Walpole*'s Motion, it was *reſolv'd*, That the ſaid Addreſs be preſented to His Majeſty. The next Day (*March* 24.) Mr. *Walpole*, Chairman of the Committee, appointed to draw it up, reported the ſame to the Houſe, as follows:

Moſt Gracious Sovereign,

YOUR Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, return Your Majeſty their unfeigned Thanks for your moſt gracious Speech from the Throne.

'Tis with inexpreſſible Joy, that we approach Your Majeſty, peaceably ſeated upon the Throne of your Royal Anceſtors; and being thoroughly ſenſible of the many *open and ſe-*

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tret Practices that have *of late Years been uſed to defeat the* Proteſtant Succeſſion, we cannot ſufficiently adore the Divine Providence, that ſo ſeaſonably interpoſed and ſaved this Nation by Your Majeſty's happy Acceſſion to the Crown.

Your faithful Commons receive, with the higheſt Gratitude, your moſt gracious Aſſurances, that the Eſtabliſhed Conſtitution in Church and State ſhall be the Rule of your Government; and the Safety, Eaſe, and Proſperity of your People, the chief Care of your Life. We are ſenſible of your Goodneſs expreſſed to thoſe who have *diſtinguiſhed themſelves* by their Zeal and Firmneſs for the *Proteſtant* Succeſſion: And as we doubt not but the Wiſdom and Steddineſs of your Government will unite the Hearts of all your faithful Subjects in Duty and Affection to your Sacred Perſon, ſo we moſt humbly beg Leave to aſſure Your Majeſty, that we not only highly reſent the wicked Inſinuations uſed to diſquiet the Minds of your Subjects, but are reſolved, to the utmoſt of our Power, to ſuppreſs and extinguiſh that evil Diſpoſition that is ſtill at work to deprive Your Majeſty of the Affections of your People.

We are ſenſibly touched, not only with the Diſappointment, but with the Reproach brought upon the Nation by the unſuitable Concluſion of a War, which was carry'd on at ſo vaſt an Expence, and was attended with ſuch unparalell'd Succeſſes: But as that Diſhonour cannot in Juſtice be imputed to the whole Nation, ſo we firmly hope and believe, That thro' Your Majeſty's great Wiſdom, and the faithful Endeavours of your Commons, the Reputation of theſe your Kingdoms will in Due Time be vindicated and reſtored.

We are under Aſtoniſhment to find, that any *Conditions of the late Peace, eſſential to the Security and Trade of* Great Britain, ſhould *not yet be duely executed*; and that *Care* was not *taken to form ſuch Alliances*, as might have rendet'd that *Peace* not *precarious*. And as no Care ſhall be wanting in your loyal Commons to enquire into theſe fatal Miſcarriages, ſo we entirely rely on Your Majeſty's Wiſdom to enter into *ſuch Alliances* as you ſhall judge neceſſary to preſerve the Peace of *Europe*; and we faithfully promiſe to enable Your Majeſty to make good all ſuch Engagements.

It is with juſt Reſentment we obſerve, that *the* Pretender *ſtill reſides in* Lorrain, and that he has the Preſumption, by

Declarations

Declarations from thence, to ſtir up Your Majeſty's Subjects to Rebellion: But that which raiſes the utmoſt Indignation of your Commons is, that it appears therein, that his Hopes were built upon the Meaſures that had been taken for ſome Time paſt in *Great Britain.* It ſhall be our Buſineſs to trace out thoſe Meaſures whereon he placed his Hopes, and to bring the Authors of them to condign Puniſhment.

Your Commons are under the deepeſt Concern, that *a great Part of our Trade is render'd impracticable,* which, if not retrieved, muſt deſtroy our Manufactures, and *ruin our Navigation.* But though we are too ſenſible of thoſe fatal Conſequences, we are not yet without Hopes, that Your Majeſty's great Wiſdom, by the Aſſiſtance of your Commons, may find Means to extricate your People from their preſent Difficulties.

The Bleſſings *derived to* theſe Nations from Your Majeſty's auſpicious Reign, are not confined to the preſent Times; we have a Proſpect of future and laſting Happineſs entailed upon your People, by a long Succeſſion of your Royal Progeny. And as this is a Bleſſing which theſe Kingdoms have a long Time wanted, ſo they could never hope to have ſeen it ſo well ſupply'd, as in the Perſon of His Royal Highneſs the Prince of *Wales*, and His Iſſue. Your faithful Commons ſhall therefore think it their Duty *to enable* Your Majeſty *to ſupport the Dignity of the Crown, and to make an honourable Proviſion for* the Royal Family.

The ſurprizing Encreaſe of *the Publick Debts, even ſince* all Thoughts of carrying on the War were laid aſide, ſhall not diſcourage us from granting ſuch Supplies as ſhall be neceſſary for the Service of this Year, and for the Support of Publick Faith: And we do entirely concur with Your Majeſty in Opinion, that nothing can contribute more towards preſerving the Credit of the Nation, than a ſtrict Obſervance of all *Parliamentary Engagements*, which we are firmly reſolved, upon all Occaſions, inviolably to maintain.

Upon the Reading this Addreſs there aroſe a warm Debate in the Houſe. Mr. *Shippen*, Mr. *Bromley*, Sir *William Wyndham*, Mr. *Cæſar*, Mr. *Ward*, Sir *Robert Raymond*, Sir *William Whitlocke*, and ſome others, raiſed ſeveral Objections againſt divers Expreſſions in the Addreſs: But were ſolidly anſwer'd by Mr. *(Robert) Walpole*, General *Stanhope*, Sir *Gilbert*

Gilbert Heathcote, and Mr. *Pulteney*. General *Roſs*, among the reſt, inſiſted much on the *threadbare Topick*, 'That the 'condemning the Peace, and cenſuring the Late Miniſtry, 'was a Reflection on the late Queen, whoſe Act and Deed the 'Peace was; and that he was ſure the reflecting on the late 'Queen could not be agreeable to His preſent Majeſty.' He was anſwer'd by Mr. *Walpole* and Mr. *Stanhope*, 'That no-'thing was farther from their Intentions than to aſperſe the 'late Queen; that they rather deſign'd to vindicate her Me-'mory, by expoſing and puniſhing thoſe *Evil Counſellors* who 'deluded her into Pernicious Meaſures: Whereas the Op-'poſite Party endeavour'd to ſcreen and juſtify thoſe *Counſel-'lors*, by throwing on that good, pious, and well-meaning 'Princeſs, all the Blame and *Odium* of their *evil* Counſels. As to what was alledg'd, that the cenſuring the Late Mini-ſters, without hearing them, and condemning the Peace, without examining into Particulars, was unjuſt and unprece-dented, it was anſwer'd, 'That they muſt diſtinguiſh be-'tween *cenſuring Miniſters* and *condemning the Peace in gene-'ral*, and *condemning* particular Perſons. That they might, 'in Equity and Juſtice, do the Firſt, becauſe the whole Na-'tion was already ſenſible, that their Honour and true Inte-'reſt were given up by the late Peace: That, in due Time, 'they would call them to an Account who made and adviſed 'ſuch a Peace; but, God forbid, they ſhould ever condemn 'any Perſon unheard.' On this Occaſion General *Stanhope* took notice of a Report induſtriouſly ſpread abroad, 'That 'the preſent Miniſters never deſign'd to call the *Late Mana-'gers* to an Account, but only to cenſure them in general 'Terms: But that he might aſſure the Houſe, that notwith-'ſtanding all the Endeavours had been uſed to prevent a Diſ-'covery of the late *Miſmanagements*, by ſuppreſſing and con-'veying away ſeveral Papers, yet the Government had ſuffi-'cient Evidence left, to prove the Late *Miniſtry* the moſt *cor-'rupt* that ever ſat at the Helm. That thoſe Matters 'would ſoon be laid before the Houſe; and that, among 'other things, it would appear, that a certain *Engliſh* 'General had acted in concert with, if not received Or-'ders from Mareſchal *de Villars*.

Sir *Wm. Wyndham*, endeavour'd to prove, that the *Peace had been very Beneficial to this Kingdom*; and offer'd to produce a Liſt of Goods, by which it appear'd, that the Cuſtoms had encreaſed near 100 000 *l. per Annum.* But he was immediately taken up by Sir *Gilbert Heatheot*, who readily own'd, 'Sir *William*, might, indeed, produce a Liſt of 'vaſt *Imports* from *France*, but defy'd him to ſhew that our '*Exports* thither, particularly of our Woollen Manufactures, 'had encreas'd ſince the Peace. He added, That Imports 'being only our *Conſumption*, rather prove our Loſs than our '*Gain*; and that the Nation gets only by *Exports*, which 'keep up our Manufactures, employ our Poor, and bring 'in Returns in Money:' Upon which Sir *Wm. Wyndham* was ſilenc'd. Nor far'd it better with Sir *William Whitlocke*, who having ſuggeſted, That the *Whigs* deſign'd to involve the Nation in a *New War*, and *lay Six Shillings in the Pound*, was aſſured by Mr. *Walpole*, 'That none in the Preſent Mi'niſtry were for a War, if the ſame could any Ways be a'voided; and that he doubted not, but Two Shillings in the 'Pound would be ſufficient towards this Year's Service.' After theſe and ſome other Speeches, a Motion being made, and the Queſtion put, That the Addreſs of Thanks be recommitted, it paſs'd in the Negative, by a Majority of 244 Voices againſt 138; and reſolv'd, That the Houſe do agree with the Committee in the ſaid Addreſs: The next Day (*March* 25th 1715) the Commons with their Speaker, attended His Majeſty at St. *James*'s with the ſaid Addreſs, to which His Majeſty return'd this moſt gracious Anſwer:

Gentlemen,

'I Thank you for the many kind Aſſurances you have gi'ven me in your Dutiful and Loyal Addreſs.

'No Endeavours ſhall be wanting on my Part to promote 'your true Intereſt, and endear my Self to all my People: 'And I will depend on your Zeal and Affection to defeat, 'all evil Deſigns that may tend to Diſquiet the Minds 'of my People; and diſturb the Tranquility of my Go'vernment.

The Speaker having on the 25th of *March* reported His Majeſty's Anſwer, it was reſolv'd, 'to preſent an humble 'Addreſs to His Majeſty, to return the moſt humble Thanks

'of

' of this Houſe, for his moſt gracious Anſwer to their Addreſs. On the laſt Day of *March* the Commons reſolv'd to preſent Seven ſeveral Addreſſes to the King, for the following Papers to be laid before their Houſe, *viz. Firſt*, All Powers, Inſtructions, Memorials, Letters, and Papers relating to the *late Negotiations* of *Peace* and *Commerce*, and to the *Ceſſation* of *Arms*. *Secondly*, The Proceedings relating to the Demolition of *Dunkirk*. *Thirdly*, The Repreſentation from the *Ruſſia* Company, and the Merchants trading to the *Eaſtern* Country. *Fourthly*, The Repreſentations and Memorials from the Merchants trading to *Spain* and the *Weſt-Indies*. *Fifthly*, An Account of the Proceedings at the Courts of the *South Sea* Company relating to the *Aſſiento* and *South Sea* Trade. *Sixthly*, The ſeveral Memorials of the Clothiers to the Commiſſioners of Trade, and what Directions the ſaid Commiſſioners had receiv'd relating to ſuch Memorials. And *Seventhly*, The Repreſentations and Memorials of the *Turky* Company, and of the *Italian* Merchants.

The Calling for theſe Papers, together with the *King's Speech* at the Opening of this Parliament, and the *Addreſſes of Both Houſes to* His Majeſty thereupon, leaving no Room to doubt that a ſtrict Inquiry would ſoon be made into the Conduct of the late Miniſtry, People were attentive to the Motions and Steps of thoſe Gentlemen, particularly of the Two Prime Managers, the Earl of *Oxford*, and of the Lord Viſcount *Bolingbroke*. The firſt had, for ſome Time, either flatter'd himſelf, or amuſed his Friends, at leaſt, *Acquaintance*, with the Hopes, That he might ſtill be reconciled with the Court: But when he found thoſe Hopes to be altogether Grounleſs, after having liv'd ſome Weeks *Incognito*, and skulking in *London*, he went down to his Country Seat in *Wales*, on the plauſible Pretence of making Intereſt for his Son and Relations againſt the enſuing Elections. Some Time after various Reports were ſpread about: Some ſaid, he ſtill continded in *Wales*; others that he had been ſeen at *Burton*, upon *Trent*, travelling Northward; others that he had embark'd, either at *Milford Haven*, or ſome other Port or Creek in the Weſt, on board a Ship bound for *Genoa*; and others again, that he was coming up, and would in few Days be in Town: Which various Reports were a true Image of his Paſt Life and Conduct, Wa-

vering, Intricate, Myſterious, and Puzzled. This is certain, That by an Order or Letter of Attorney under his Hand, ſaid to be dated at *Oxford*, all the Stock he had in his own Name, in the *South-Sea* Company, was ſold off and transferr'd, towards the End of the Month of *March*. The Lord Viſcount *Bolingbroke*, to do even an Enemy Juſtice, acted, for ſome time, a more open, and generous Part: For he not only appear'd publickly both in the Country and in Town, but upon the Meeting of the Parliament, he took his Seat in the Houſe of Peers; and, in the Debate before-mention'd, ſpoke with all the Reſolution, and Unconcernment, if not of an *Innocent Perſon*, at leaſt of a *Guilty Man of Spirit*. Some pretend, indeed, that the Courage he ſhew'd, on that Occaſion, was principally owing, to the Advice and Inſuſions of another * Lord, who having been embark'd in the ſame Cabal, repreſented to the Lord *Bolingbroke*, 'How much their Cauſe 'would Suffer, if He, whoſe chief Intereſt it was to ſupport 'it to the laſt, ſhould meanly throw it up, by abſenting 'himſelf; and ſo perſuaded him to appear in the Houſe of 'Peers, aſſuring him, That no Hold could be laid on his 'Perſon, till he was *impeach'd*, which could not be, neither, 'till the Papers relating to that Part of the Adminiſtration 'in which his Lordſhip was concern'd, had been laid be-'fore the Commons, and examin'd. Whether 'twas upon this Encouragement, that the Lord *Bolingbroke* acted the Part beſorementioned, or upon ſome other Conſiderations, 'tis certain, That his Heart began to fail him, as ſoon as he heard that Mr. *Prior*, who was generally reported to have promiſed to reveal all he knew, was landed at *Dover*. That Gentleman arrived in *London*, on *Friday* the 26th of *March*; waited the ſame Evening on the E. of *Dorſet*, one of the Gentlemen of the King's Bed Chamber; and the next Morning, was by his Lordſhip, and the Lord Viſcount *Townſhend*, introduc'd to his Majeſty, who receiv'd him very graciouſly. The ſame † Day, Mr. *Prior* was entertain'd at Dinner, by my Lord *Townſhend*, together with the Duke of *Roxburgh*, Mr. Secretary *Stanhope*, the Earl of *Dorſet*, and the Lord *Lumley*; and was afterwards examin'd by a Committee of the Privy Council. That

* *The Lord* T—r. † March 27th.

That very Evening, the Lord *Bolingbroke* left *London*, and went Poſt to *Dover*, in order to embark for *Calais*, having taken all imaginary Precautions, both to cover his Flight, and to be undiſcover'd at *Dover*. For the very Evening before, he not only appear'd at the Play-houſe in *Drury-Lane*, but likewiſe beſpoke another Play for the Next Night; and he likewiſe ſubſcribed for a new Opera, that was to be acted ſome Time after. On the other hand, he put on an Ordinary *Surtout* Coat, and a Black Wig, and went under the mean Figure of a Valet to Monſieur *La Vigne*, one of the *French* King's Meſſengers. He begun to be miſs'd in *London*, on *Monday* Morning, the 29th of *March*; but Captain *Morgan*, who was inſtrumental in his Eſcape, being return'd to Town the next Day, upon Information given of it to the Government, the ſaid Captain was taken into the Cuſtody of One of His Majeſty's Meſſengers. His Examination was afterwards printed in the *London Gazette*, as follows:

Whitehall, March 30.

'THis Day *William Morgan*, Late Captain in Major Ge-'neral *Holt*'s Regiment of Marines, appear'd before 'a Committee of the Lords of His Majeſty's Moſt Honoura-'ble Privy Council, and declared, That he having ſent one '*Andrew Galway* before to *Dover*, to provide a Veſſel for 'carrying him over to *Calais* on ſome private Buſineſs of his 'own, went Poſt from *London*, on *Saturday* laſt, for *Dover*; 'that on *Sunday* Morning about Six a Clock, he the ſaid *Mor-'gan*, being at the *Dolphin-Inn* in *Dover*, ſaw Two Men come 'into the ſaid Inn, whom he at firſt took to be *French* Cou-'riers; that ſoon after, One of them ſpoke to him, and diſ-'covered himſelf to be the Lord Viſcount *Bolingbroke*; that 'His Lordſhip was in Diſguiſe, having a Black Bob Wig on, 'with a Laced Hat, and very Ordinary Cloaths; but he the 'ſaid *Morgan* knew the ſaid Lord very well, having formerly 'received ſeveral Favours from him; that His Lordſhip pro-'poſed going over in the Veſſel which he the ſaid *Morgan* had 'hired; that accordingly they went on board on *Sunday* about 'Noon, together with the *French* Courier call'd *La Vigne*, 'and no other Perſon; that they landed at *Calais* the ſame 'Evening about Six a Clock; that ſoon after landing, the 'Governor of the ſaid Town waited on the Lord *Bolingbroke*,

'and

'and carry'd him to his House, where His Lordship lay; and 'the said *Morgan* saw him there the Next Morning: And 'that on *Tuesday* he the said *Morgan* left that Place.

As soon as 'twas publickly known in *London*, that the Lord *Bolingbroke* was gone over to *France*, the *Tories* handed about in *Writing*, and on the Second of *April* dispers'd in Print, the following Letter, said to be writ by him to a LORD, whom some reported to be the Lord *Lansdowne*, others the Lord *Harcourt*, and others again the Earl of *Strafford*.

Dover, March 27.

My Lord,

I Left the Town so abruptly, that I had no Time to take leave of you, or any of my Friends: You will excuse me, when you know, that I had certain and repeated Informations from some who are in the Secret of Affairs, that a Resolution was taken, by those who have Power to execute it, to pursue me to the Scaffold. My Blood was to have been the Cement of a new Alliance; nor could my Innocence be any Security, after it had been once demanded from abroad, and resolv'd on at home, that it was necessary to cut me off. Had there been the least Reason to hope for a Fair and Open Trial, after having been already prejudg'd, unheard by the two Houses of Parliament, I should not have declined the strictest Examination.

I challenge the most Inveterate of my Enemies to produce any one Instance of Criminal Correspondence, or the least Corruption in any Part of the Administration in which I was concerned. If my Zeal for the Honour and Dignity of my Royal Mistress, and the true Interest of my Country, has any where transported me to let slip a Warm or Unguarded Expression, I hope the most favourable Interpretation will be put upon it.

It is a Comfort that will remain with me in all Misfortunes, that I served Her Majesty faithfully and dutifully, in that especially, which she had most at Heart, *Relieving her People from a bloody and expensive War: And that I have always been too much an* Englishman *to sacrifice the Interest of my Country to* any foreign Ally whatsoever; *and 'tis for this Crime only, that I am now driven from thence.*

You will hear more at large from me shortly.

Yours, &c.

When

When this Letter was made publick, various Cenſures and Judgments paſs'd upon it; ſome maintaining it to be *genuine*, and others *ſuppoſititious*. This is certain, that as the Generality of the *Tories* own'd it to be true, ſo others juſtly look'd upon it as a *Contrivance of their Leaders*, both to keep up the Spirits of their ſinking Party, and to aſperſe the *Whigs* with the Imputation of *Violence*. 'Tis certain, on the other Hand, that the ſaid Letter was written, not only in the Style and with the Spirit of the L. *B-ke*, but alſo agreeably to *his Principles*, at leaſt, paſt *Conduct*, there not being in it the leaſt Mention made of his Affection to the *Proteſtant* Succeſſion in the moſt Serene Houſe of *Hanover*.

Notwithſtanding the Lord *Bolingbroke*'s Flight, which was a plain Indication of his Guilt, many of the *Sticklers* for the Late Miniſtry were yet ſo ſanguine, and ſo bold, as to endeavour to juſtify their Conduct by extolling the Peace. To this Purpoſe we muſt obſerve, that on the 27th of *March*, Sir *Roger Bradſhaigh*, introduced by the Lord of the Bed-chamber in waiting, preſented to His Majeſty the following Addreſs, which openly contradicted the *King's Speech*, and the Addreſſes of both Houſes of Parliament, to His Majeſty.

The Humble Addreſs of the Mayor, Bailiffs, and Burgeſſes of the Corporation of *WIGAM*, in the County-Palatine of *Lancaſter*, at a Common Hall aſſembled.

Dread Sovereign,

WE beg *Leave humbly to condole with you the Death of Her late Majeſty, whoſe Memory ought to be dear to the preſent Generation, and whoſe Reign will be eſteemed glorious and happy to the lateſt Poſterity: Glorious! In the Triumphs of War, and carrying the Reputation of the* Engliſh *Arms to a Height unknown to Former Ages: Happy! In ſeeing that War terminate in a General, Solid, and Beneficial Peace, for her People, herſelf being the Arbitreſs thereof.*

Give us Leave, as the Firſt Fruits of that happy Peace, to congratulate Your Majeſty's quiet Acceſſion to the Imperial Throne of theſe Kingdoms. Your Majeſty's conſummate Prudence in Government, Knowledge and Abilities in War, give us Confidence; your Piety and Virtues give us Aſſurance; and your

Royal

Royal Iſſue gives us a Proſpect of the long Continuance of all the Bleſſings that a grateful and dutiful People can wiſh for.

We take this Opportunity to return our Thanks for Your Majeſty's gracious Aſſurance of protecting the Epiſcopal Church of England: *This, with your being in full Communion with that Church, muſt make you dear to all the Members thereof. We cannot but pleaſe our ſelves with the Hopes, that by the Eſtabliſhment of your Family amongſt us, the favourable Conjuncture (which has been ſo long wiſh'd for) is now come, to extend the Epiſcopal Government to the Reformed Churches abroad; which, as we believe it the only Foundation poſſible to unite the* Chriſtian *World upon (if ever it muſt be ſo happy) ſo it muſt render you above all things, glorious to the whole* Reformation, *by being the happy Inſtrument of ſo univerſal a Benefit.*

Upon all theſe Hopes and Proſpects, we are ty'd, as well by our Intereſt, as the Principles of our holy Church, to pay you our Allegiance in an inviolable manner, and to pray, that after a long Continuance of a proſperous Reign here, you may be tranſlated to one eternal hereafter.

But this Addreſs was contradicted by a great many others, from Powerful and Conſiderable Bodies: To which Purpoſe we may take notice, that, on the 7th of *April* the Deputy Lieutenants of the County of *Middleſex*, and City and Liberty of *Weſtminſter*, gave a moſt magnificent and ſplendid Entertainment to the Earl of *Clare*, their Lord Lieutenant; the Lord Viſcount *Townſhend*, General *Stanhope*, the Earl of *Lincoln*, and ſeveral other Perſons of Diſtinction. At this Meeting the Lord Lieutenant, and Deputy Lieutenants, agreed upon an Addreſs, drawn up by *Richard Steele*, Eſq; one of their Body; which, the next Day, the Earl of *Clare*, at the Head of his Deputy Lieutenants, and being introduced by the Lord Viſcount *Townſhend*, preſented to His Majeſty, as follows:

To the King's Moſt Excellent Majeſty.

The Humble Addreſs of the Right Honourable the Earl of *Clare*, Lord Lieutenant, and the Deputy Lieutenants of the County of *Middleſex*, and City and Liberty of *Weſtminſter*.

WE *Your Majeſty's moſt dutiful and loyal Subjects, the Lord Lieutenant and Deputy Lieutenants of the County of* Middleſex,

Middlesex, and City and Liberty of Westminster, beg Leave, upon our First publick Meeting, to congratulate Your Majesty upon your safe and peaceable Accession to your undoubted Right. We receive the invaluable Blessing with all the proper Sentiments of undissembled Joy, Affection, and Zeal.

Our Joy is the Joy of Men whose Past Fears heighten their Present Satisfaction: Fears which have no other Proof that they were imaginary, but that Providence hath been much more merciful to us than we could in reason expect.

The Liberty and Happiness of Mankind was the glorious Cause, and the glorious End of that Revolution which transmitted to us our present Security: A Transaction which, since Your Accession to the Crown, shines with Redoubled Lustre, and bears upon it such Characters of Glory, as they who have not hitherto been able or willing to see, cannot escape enjoying, in its Influences upon the Publick Welfare.

This Happiness appears confirmed to us, when we behold a British Parliament, once more anxious for the British Honour, equally disposed to enquire into the Behaviour of those who diminished it, and to rescue the injured Reputation of the illustrious Men by whose Councils and Actions it was once raised to the Highest Pitch of Greatness.

From those concurring Circumstances we assure our selves, that the Time is now come, wherein Integrity and Uprightness shall no longer be distinguished from True Policy, wherein Cunning shall no longer pass for Wisdom, nor Deceitfulness for Prudence; but the Measure of a Wise, Just, Beneficent, and Steddy Administration, shall establish the Prosperity of these Realms, by a strict Alliance with those Powers, the Abandoning of whom has so manifestly appeared fatal to them and our selves.

On this Occasion permit us further to congratulate Your Majesty, in that we cannot but daily observe Numbers of Your Majesty's Subjects act according to their real Sentiments, and, to extricate themselves from the ill Impressions under which they were misled, by Artful Men, to make choice of such as favoured Designs destructive of the Liberties of that very Constitution which they were elected to preserve and defend.

As for us, whom Your Majesty has intrusted with the Militia of this County, we solemnly promise that we will faithfully execute the Trust reposed in us; that we will be so far from encouraging or conniving at any of those Riots and Disorders which Your

Majeſty has juſtly complained of, as the Reproach of ſome late Years, that no Endeavours on our Part ſhall be wanting to prevent and ſuppreſs the leaſt Tendency to any Commotion.

We flatter our ſelves that our lateſt Poſterity ſhall enjoy thoſe Bleſſings we now do in Your Majeſty's Reign from the Eminent Virtues of the Prince of Wales, *and the pleaſing Proſpect of his numerous Iſſue: Which that they may do, are the ſincere Prayers of,*

Your Majeſty's moſt dutiful and loyal Subjects.

To which His Majeſty was pleaſed to return the following gracious Anſwer:

I thank you for your very Loyal and Dutiful Addreſs.

And as a further Mark of his Special Favour, His Majeſty was pleaſed to beſtow the Honour of Knighthood on Three of the Deputy Lieutenants, *viz. Richard Steele, Robert Thornhill,* and *George Cooke*, Eſquires.

To reſume the Proceedings in Parliament: On *Friday* the Firſt of *April*, the Commons reſolved to preſent Addreſſes to His Majeſty for divers Accounts, and Eſtimates, to be laid before them; and in particular, ſeveral Papers relating to the *Aſſiento Contract*, *Newfoundland*, the *Ceſſion* of *Cape-Breton*; and the Repreſentations and Memorials of the *Swediſh* Miniſter, *&c.* Four Days after, (*April* 5th) the Commons reſolv'd alſo to addreſs His Majeſty for all the Powers, Inſtructions, Memorials, Letters and Papers relating to the Negotiations of Peace at the *Hague* in 1709, and the Preliminaries negociated at *Gertruydenberg*, together with the ſaid Preliminaries: All which Papers His Majeſty directed to be laid before the Houſe.

The ſame Day (*April* 5th) upon a Motion made, *That the Houſe would appoint a Day to take into Conſideration His Majeſty's Proclamation of the* 15th *of* January *laſt, for Calling a New Parliament*, the ſame was immediately read. Sir *William Whitlocke*, Member of Parliament for the Univerſity of *Oxford*, having made ſome Exceptions to the ſaid Proclamation as *Unprecedented* and *Unwarrantable*, he was call'd upon by ſome Members of the Court Party to *explain himſelf*; upon which he made a kind of Excuſe for what he had ſaid: The Matter would have been dropt, had not Sir *William Wyndham* took it up, and even carried it further, by advancing, 'That

'the

'the ſaid Proclamation was not only *unprecedented and un-*
'*warrantable, but even of dangerous Conſequence to the very*
'*Being of Parliaments.*" The Courtiers could not but take Notice of ſo *Home a Reflection*, and thereupon call'd upon Sir *William Wyndham* to juſtify his Charge: But Sir *William* who rightly judged, he could not deſcend to Particulars without giving further Offence, and ſinking deeper in the Mire, declined explaining himſelf; Tho' at the ſame Time, he reſolutely maintain'd his firſt Aſſertion, ſaying, *That as he thought ſome Expreſſions in the ſaid Proclamation of dangerous Conſequence, ſo he hoped every Member was free to ſpeak his Thoughts.* He was anſwer'd, by the Lord *Finch*, Eldeſt Son to the Earl of *Nottingham*, That *Freedom of Speech was undoubtedly one of the eſſential Privileges of that Houſe; But that the Houſe has, at the ſame Time, both the Liberty and Power to cenſure and puniſh ſuch Members as trangreſs the Rules of Decency, treſpaſs upon the Reſpect due to the Crown; and abuſe the Privileges of the Houſe within Doors, ſo as to render it contemptible without.* Sir *William* being again call'd upon to explain himſelf, and ſtill perſiſting in his Refuſal, ſome Members cry'd the *Tower, the Tower*: But *Robert Walpole*, Eſq; to keep up the *Characteriſtick* of his Party, *Moderation*, warded off the Blow. 'Mr. *Speaker*,
'ſaid he, (or Words to the ſame Effect) I am not for grati-
'fying the Deſire which the Member who occaſions this
'great Debate ſhews, of being ſent to the *Tower*: 'Twould
'make him too conſiderable. Beſides, as he is a Young Man
'of good Parts, who ſets up for a warm Champion of the
'late Miniſtry, and one who was in all their Secrets, I
'would have him be in the Houſe, when we come to in-
'quire into the Conduct of his Friends; Both that he may
'have an Opportunity to defend them, and be a Witneſs
'of the *Fairneſs* with which we ſhall proceed againſt thoſe
'Gentlemen; and leſt it ſhould be ſaid, That we take any
'Advantage over them.' After ſeveral others Speeches, which prolong'd this Debate from One till Half an Hour paſt Five in the Afternoon, *A Motion was made, and the Queſtion put, That the Houſe do now adjourn?* Which being carried in the Negative by a Majority of 212 Voices againſt 134, a Motion was made and the Queſtion propoſed, 'That Sir *William*
'*Wyndham* having reflected upon His Majeſty's Proclamation

'of the 15th of *January* last for Calling a New Parliament, 'and having refused to justify his Charge, although often 'called upon so to do, is guilty of a great Indignity to His 'Majesty, and of a Breach of the Privilege of this House." This Motion occasion'd a fresh Debate, that lasted till Seven of the Clock: The Courtiers still insisting that Sir *William Wyndham* should justify his Charge; and Sir *William* as obstinately declining to do it, saying, He *was ready to undergo whatever a Majority would inflict upon him.* At last the Question being put that Sir *William Wyndham* should withdraw, the same was carried in the Affirmative by 208 Voices against 129: Whereupon Sir *William* withdrew accordingly; and with him, to a Man, all the 129 Members who had been for the Negative. Their Antagonists being thus entire Masters of the Field, the Question was put, and unanimously resolv'd, 'That Sir *William Wyndham* having reflected upon His Majesty's Proclamation of the 15th of *January* last 'for Calling a New Parliament, and having refused to justify his Charge, although often called upon so to do, is 'guilty of a great Indignity to His Majesty, and of a Breach 'of the Privilege of this House. *Ordered*, That Sir *William Wyndham* be (for the said Offence) reprimanded, in 'his Place, by Mr. *Speaker*. And, That Sir *William Wyndham* 'do attend this House in his Place to morrow Morning.

Sir *William Wyndham* attending the next Day in his Place, Mr. Speaker addres's'd himself to him in this manner:

Sir William Wyndham,

I *Am to acquaint you that the House has come to this Resolution, That you be reprimanded in your Place by me.*

You have presumed to reflect on His Majesty's Proclamation, and made an unwarrantable Use of the Freedom of Speech granted by His Majesty.

This House has made their Moderation appear, and shewn their Lenity, by laying the mildest Censure your Offence was capable of; I am order'd to reprimand you, and do reprimand you accordingly.

To which Sir William Wyndham *replied:*

SIR,

'I Return you my Thanks for what you have done by the 'Duty of your Office, in so candid and so Gentleman-

'like

'like a Manner: As I am a Member of this House, I very 'well know I must acquiesce in the Determination of this 'House.

'But I am not conscious of any Indignity to His Ma-'jesty, or any Breach of the Priviledge of this House; and 'therefore I have no Thanks to give those Gentlemen, who, 'under Pretence of Lenity, have brought this Censure upon 'me.

Thus quietly ended an Affair which, at first, made a great Noise; the Prevailing Party, with great Prudence avoiding drawing on themselves the least Imputation of Violence and Rigour, which might have prejudiced the Minds of the People, with respect to the intended Important Inquiries into the Conduct of the last Ministry. But nevertheless, the contrary Party gave a malicious Turn to their *Moderation*, in a Libel which, some Days after, was privately handed about, entitled, *The Honour and Impartiality of the House of Commons, set forth in the Case of Sir* William Wyndham: The Writer of which had the Insolence to compare this House of Commons, to *that righteous Parliament which was first flesh'd in the Blood of the Earl of* Strafford; *and afterwards of the Royal Martyr; which destroy'd Episcopacy, and overturn'd the whole Laws.*

On the 9th of *April*, Mr. Secretary *Stanhope* presented to the House, pursuant to their Addresses to His Majesty for that Purpose, all the Powers, Instructions, Memorials, Letters and Papers relating to the late Negotiations of Peace and Commerce, and to the Cessation of Arms, which he deliver'd in at the Table in *Twelve Volumes*, bound up and number'd, and Three other small Books. He took that Occasion to tell the House, 'That nothing had been omitted that 'might either answer the Desire they had express'd, of be-'ing thoroughly inform'd of what had passed in those im-'portant Negotiations; or satisfy the whole World, that 'the present Ministry acted with the utmost Fairness and 'Candor, and design'd to take no manner of Advantage o-'ver the *late Managers*, in the intended Inquiries; That in-'deed, the Papers now laid before the House were only '*Copies*, but that the *Originals* would be produced if Occa-'sion required: Concluding, That those Papers being too 'many, and too voluminous to be perus'd and examin'd by

'all

'all the Members of the House, He thought it more conve-
'nient, and therefore moved, That the said Books and Pa-
'pers be referr'd to a Select Committee of Twenty Persons,
'who should digest the Substance of them under proper
'Heads; and report the same, with their Observations
'thereupon to the House." Mr. *Ward* (the Lawyer) said, *Nothing could be fairer. That for his own Part, his Principle was that* Kings can do Wrong; *But that he was of Opinion that their Ministers are accountable for their Male-Administration.*

The Earl of *Oxford*, being, to the general Surprize, come to Town the Night before, his Brother, Mr. Auditor (*Edward*) *Harley*, a Member of the House of Commons, took that Occasion to say, 'That 'twas easie to see that one of
'his neareſt Relations was principally aim'd at in the in-
'tended Inquiries; But he might assure the House, That
'the said Person, notwithstanding the various Reports had
'been spread concerning him, would neither fly his Coun-
'try, nor conceal himself, but be forthcoming whenever he
'should be call'd upon to justify his Conduct. That, he
'hoped, he would be able, upon the severest Tryal, to
'make his Innocence appear to all the World; But if he
'should be so unhappy as to have been guilty of the Crimes
'that were laid to his Charge, he would think all his Blood
'too small a Sacrifice to atone for them." No Body oppos'd Mr. Secretary *Stanhope*'s Motion: Mr. *Hungerford* only excepted against the Number of *Twenty*, and moved that One more might be added, which being readily agreed to, it was resolv'd, *First*, That the Books and Papers before-mention'd be referr'd to a Committee; *Secondly*, That the said Committee be a COMMITTEE *of* SECRECY. *Thirdly*, That the Number of the said Committee be One and Twenty. *Fourthly*, That the said Committee, be chosen by Way of Ballotting; *Fifthly*, That the Members of the House should on the *Monday* following, at Twelve of the Clock, prepare Lists to be put into Glasses of One and Twenty Persons Names to be the said Committee: And order'd, That the said Books do remain with the Clerk of this House Sealed, as they were then, until the said Committee were chosen.

On

On *Monday*, the 11th of *April*, the Members in *Weſtminſter-Hall*, and Court of Requeſt, having been ſummon'd by the Serjeant at Arms, to attend the Service of the Houſe, the Clerk and Clerk-Aſſiſtant went on each Side the Houſe with Glaſſes to receive from the Members the Liſts of Perſons Names to be the *Committe of Secrecy*; and the ſame being receiv'd and brought up to the Table, a Committee was appointed and order'd to withdraw immediately into the *Speaker*'s Chamber; and that they ſhould report to the Houſe, upon which One and Tweenty Perſons the Majority fell. Two Days after, Mr. *Bladen* reported from that Committee, that the Majority had fallen upon the One and Twenty Perſons following, *viz.*

Sir *Richard Onſlow*, Bart.
Robert Walpole, Eſq;
Spencer Cowper, Eſq;
James Stanhope, Eſq;
Hugh Boſcawen, Eſq;
William Pultney, Eſq;
Nicholas Lechmere, Eſq;
Daniel, Lord *Finch*.
John Aiſlaby, Eſq;
Thomas Vernon, Eſq; of *Worceſterſhire*.
Algernoon, Earl of *Hertford*.
Edward Wortley Montague.
Sir *David Dalrymple*, Bart.
George Bailie, Eſq;
Sir *Joſeph Jekyll*, Knight.
Thomas Erle, Eſq;
Richard Hampden, Eſq;
Sir *Robert Maſham*, Bart.
Alexander Denton, Eſq;
Thomas Pitt, Senior, Eſq;
Thomas, Lord *Coningsby*.

An Objection being made, by ſome *Tory* Members, to Sir *Joſeph Jekyll*'s being One of the ſaid Committee, he having not taken the Oaths at the Table; it was readily anſwer'd, that the ſame was not owing to any voluntary Neglect, Sir *Joſeph Jekyll* being employ'd in the Circuits, as Judge of the County *Palatine* of *Cheſter*: Whereupon it was reſolv'd, That Sir *Joſeph Jekyll* being a Member of this Houſe, was capable of being choſen of the *Committee of Secrecy*, altho he had not been ſworn at the Table; And *order'd*, 'That the Books and Papers which were order'd to remain in the Cuſtody of the Clerk, till this Committee was choſen, be deliver'd to the ſaid Committee; and that they do examine the ſame, and report to the Houſe what they find material in them; And that they, or any Five of them, do meet that Afternoon, and ſit *de Die in Diem*.

Diem: Secondly, That the ſaid Committee have Power to ſend for Perſons, Papers, and Records. Accordingly, the Committee of Secrecy met that Evening, and choſe *Robert Walpole*, Eſq; for their Chairman: But that great Man being, the very next Day, afflicted with a violent Fit of *Nephretick*, or *Stone colick*, the Committee choſe Mr. Secretary *Stanhope*, to ſupply his Place of *Chairman*; and, for Diſpatch Sake, ſubdivided themſelves into Three Committees, to each of which a certain Number of Books and Papers were allotted. It is remarkable, that as ſoon as the King was inform'd of Mr. *Walpole's* Indiſpoſition, His Majeſty ſhew'd a great Concern for the Health of a Perſon of ſuch bright Parts, and diſtinguiſh'd Merit; and ſent his Phyſician to viſit him.

The Friends of the Late *Evil Miniſters* had hitherto flatter'd themſelves with an Opinion, that the *Parliamentary Inquiries* with which they were threaten'd, would come to nothing: But being now made ſenſible, by the Appointing of the *Committee of Secrecy*, that the Commons were in earneſt, they reſolv'd to uſe the moſt unwarrantable and illegal Methods to deter them from proceeding farther. In Order to that, they laid hold of the Firſt Opportunity that offer'd to raiſe *Riots* and *Tumults*, in the very City of *London*; an Account of which was publiſh'd as follows:

SAturday *laſt, the 23d of* April, *being the Anniverſary of the late Queen's Coronation, the Faction who had been at Pains and Expence ſome time before to prepare a raſcally Mob, employ'd their Tools, to aſſemble them in the Evening. The Chief Place of Rendezvous was at the Conduit on* Snow Hill, *where they hung up a Flag and a Hoop, and with the Money contributed by ſeveral of the Neighbours and others of the Faction, they were accomodated with Wine, a Bonefire, and Illuminations. The Queen's Picture was fix'd upon the Conduit, with this Inſcription under it:*

Imitate her who was ſo juſt and good,
Both in her Actions and her Royal Word.

As ſoon as the Rabble was heated, they were detach'd in Parties to diſturb the Peace of the City and Suburbs, imperiouſly commanding the People to illuminate their Windows, and contribute to their Bonefires. They were ſo intent upon Miſchief, that they not only threw Stones, &c. at ſuch Windows as were not illuminated,

lluminated, but at such People as were setting up Candles to prevent their Windows being broke; and threw Flint Stones of such a Size and Weight, as were enough to have kill'd any Person they had hit. They likewise stopp'd Coaches to extort Money from the Passengers, insulted those that were passing the Streets about their lawful Occasions, robb'd them of their Hats, Wigs, &c. buffeted them, and threaten'd farther Mischief, if they would not huzza God bless the Queen and *High Church.*

It were easy to give many Instances of the Mischiefs done by this villainous Mob; but since the Rioters spread themselves from their Place of Rendezvous to the Middle of the City, on One Side; and as high as Holborn Bars, &c. *on the Other; it is almost impossible to give all the Particulars; only on* Holborn-Hill, *over against* St. Andrew's Church, *they broke abundance of Windows, and threw in Scores of Stones into Houses at once. A Woman with Child was hurt by one of those Stones of above a Pound Weight, though she begg'd them to forbear till she could put up Candles. A Servant Maid was wounded in the Head by another; and they threw them with such Force that they broke the Tiles of the Chimneys, and flew into the Beds, where poor Infants narrowly miss'd being knock'd on the head. The Villany appears to have been premeditated, for the Stones found in People's Houses were most of a Size, and generally Flints which they had prepared on Purpose, and carry'd in their Pockets. They vented their Spite particularly upon the Houses and Persons of* Dissenters, *where they knew them.*

Another Engine which the enraged *Tory* and *Jacobite Faction* resolv'd to play at this Juncture, to awe the Government, was to set up the Duke of *Ormond* as the *Favourite* of the Populace. To this Purpose, we may observe, that on the 29th of *April*, being His Grace's Birth-day, most of the Discontented among the Nobility and Gentry appear'd at his *Levee* in Magnificent Habits; and afterwards went to the *Devil-Tavern* in *Fleet-street*, to dine together, and drink His Grace's, and other *Suitable Healths.* Moreover, undoubtedly by Direction, a Mob gather'd in the Evening near *Newgate-market*, and went about *Pater-noster-row*, and other adjacent Streets, exacting Money to make Bonefires to celebrate the Duke of *Ormond*'s Birth-day. Which being altogether unprecedented, and a Compliment only paid to the *Royal*

Blood, could not but be taken notice of, and give Offence to the Court.

In the mean Time, the *Tory Party* in the House of Commons laid hold on all Opportunities to divide their *Antagonists*, a remarkable Instance of which appear'd on the 13th of *May*, 1715, when, in a Grand Committee, they consider'd of the *Civil List*. After the Reading of some of the Papers that lay before them, the Courtiers offer'd the following Question, *viz.* 'That it appears to this Committee, that the Sum of 700000 *l. per Annum* was settled upon His Late Ma-'jesty King *William*, during his Life, for the Support of His 'Majesty's Houshold, and other his necessary Occasions; and 'at the Time of His Majesty's Demise (after the Deduction 'of 3700 *l.* a Week, that was apply'd to Publick Uses) was 'the Produce of the Civil List Revenues that were continued 'and settled upon Her Late Majesty Queen *Anne*, during 'her Life:' Which Question occasion'd a Warm and Long Debate. They who proposed it had Two things principally in their view: *First*, To vindicate the *present Ministry* from the Aspersion cast upon them, and industriously spread about, by the Emissaries of the *Late Managers*, that the *Whigs* design'd to give the King a Larger Revenue than His Majesty's Predecessors had enjoy'd: And, in the second place, To make good the Branches of the Revenue assign'd for the Support of the Civil List, which had been alienated, or abridged, so that the whole Neat Produce might amount to the Sum of 700000 *l. per Annum*. The Leading Men among the *Tories*, being sensible of the First; and, at least, pretending to be ignorant of the Consequences of this *preliminary Question*, insisted, a long while, *That it was ensnaring; that what had been done by former Parliaments ought not to be a standing Rule for the subsequent; that supposing the Parliament had given King* William *a Revenue of* 700000 l. per Annum, *for the Civil List, they ought to consider that he was to pay out of it* 50000 l. per Annum *to the Late Queen, then Princess of* Denmark; 15, *or* 20000 l. per Annum *for the late Duke of* Gloucester; *and* 40000 l. *for the Dowry of King* James's *Queen. That after the Late Queen's Accession to the Throne, the Parliament taking notice that the Produce of the* Civil List *Revenues, exceeded what they had been given for, the Sum of* 3700 l. per *Week* (that is 192400 l. *per Annum*) *was taken out of them,*

and

and apply'd to other Uſes: Notwithſtanding which Deduction, the late Q. had honourably maintain'd her Family, and ſupported the Dignity of the Crown. However, if the preſent Revenues of the Civil Liſt *were not ſufficient, they were ready to conſent to an Addition.* The *Courtiers* anſwer'd, 'That the Que-'ſtion before them was founded upon Facts, which, if de-'ny'd, they were ready to prove by the Records of the 'Houſe.' But Sir *William Wyndham* ſtill urging, that the Queſtion was *enſnaring*, Mr. Secretary *Stanhope* anſwer'd, 'That he would be very plain with them, and own, that as 'twas notorious that great Endeavours had been uſed to alie-'nate the Affection of the People from the King and his Go-'vernment, by falſe Suggeſtions that they deſign'd to plunge 'the Nation into extraordinary Expences, they thought it 'highly neceſſary to clear His Majeſty and his Miniſters from 'that malicious Aſperſion.' To this the Lord *G----ey* reply'd, *That the Diſaffection of the People, if any, did not proceed from His Majeſty, but from the Hardſhips his Miniſters put on the* Tory Party. To which it was ſmartly return'd, 'That as ſoon as 'twould be made known to the World, how 'the Late Miniſtry had uſed not only the *Whigs*, but the '*whole Nation*, nothing that could be done againſt them 'would then be thought a Hardſhip: But, however, that 'neither that noble Member, nor any of his Family, had 'Reaſon to complain of *Hardſhips*.' After ſome other Speeches, which prolonged the Debate from Two till about Five in the Afternoon, the *Tories* endeavour'd to drop the *Queſtion*, by moving, *That the Speaker reſume the Chair:* But the Queſtion being put upon this Queſtion, the ſame was carry'd in the Negative by a Majority of 244 Voices againſt 148. After which the Firſt Queſtion was put, and carry'd in the Affirmative, by about the ſame Majority. Then the Victorious Party moved, 'That to enable His Majeſty to ſup-'port the Dignity of the Crown, and to make an honoura-'ble Proviſion for the Royal Family, there be granted to 'to His Majeſty during his Life (which God long preſerve) 'an Additional Revenue, which, together with the Neat 'Produce of the Civil Liſt Branches, may make up the clear 'Yearly Sum of Seven Hundred Thouſand Pounds, for the 'Service of His Majeſty's Houſhold and Family, and for 'other his neceſſary Expences and Occaſions.' The Queſtion

being put upon this Motion, the ſame occaſion'd another great Debate. Sir *Thomas Hanmer*, Mr. *Bromley*, Sir *William Wyndham*, Mr. *Cæſar*, Mr. *Hungerford*, and ſome other leading Members among the *Tories*, who, on this Occaſion, were ſtrengthened and back'd by ſome eminent *Whigs*, did not at firſt directly oppoſe the Queſtion, but inſinuated, that before they came to that Reſolution, 'it ſhould be proper that a Particular of the King's Expences ſhould be laid before the Houſe.' Mr. *Walpole*, Mr. *Stanhope*, Mr. *Lechmere*, and ſome other Courtiers, who, on this Occaſion, were join'd by ſome of the *Oppoſite Party*, having exploded that Propoſal, as altogether inconſiſtent with the King's Honour, to have all the private Expences of his Family and Houſhold look'd into, as if he had need of a Guardian: The *Tories* then moved that the Sum of 600000 *l. per Ann.* be given to His Majeſty, and 100000 *l. per Annum* ſettled on the Prince of *Wales*. The Courtiers perceiving that the Propoſal of giving the Prince of *Wales* a Separate Revenue, was only a Deſign to *divide the Royal Family*, by leſſening the Dependance of the Next Heir apparent on His Majeſty, oppoſed it with great Warmth: And the Queſtion being put upon that Motion, the ſame was carry'd in the Negative, by a Great Majority. The *Tories* having loſt theſe two Points, ſome of that Party more openly oppoſed the main Queſtion. Among the reſt, Sir *William Wyndham* ſaid, 'He had the Honour to ſerve Her Majeſty, and had the Opportunity to look both into her Revenue and Expences; and he could aſſure the Houſe, that about 500000 *l. per Annum* were ſufficient for the Support of her Family, and Civil Liſt; tho' ſhe reſerved about 50000 *l.* a Year for the Late King *James*'s Conſort.' The Courtiers were glad of this laſt Confeſſion; and Mr. Secretary *Stanhope* deſired the Committee to take notice of what that Gentleman had advanc'd; becauſe it would ſerve to confirm ſome Matters which the Committee of Secrecy had found in the Papers that were laid before them. A *Whig* Member, who, at this Time, ſpoke on the *Tory* Side, made ſome Reflections on the preſent unthrifty Adminiſtration of His Maj's Revenue; and, in particular, took notice of the Salaries of the Judges being advanc'd; *Nay*, ſaid he, *for Services done, but expected.* Upon the whole Matter, the Queſtion being put upon the Motion before-

mention'd,

mention'd (about Seven a Clock in the Evening) the ſame was carry'd in the Affirmative without dividing. What's moſt remarkable in this Day's Debate, and is the main Reaſon of its being mention'd in this Place, was the Diviſion that appear'd among the *Court-Party*, which was chiefly aſcribed to the Counſels of the Earl of *Halifax*, whoſe *Ambition* (as was hinted before) began to make thoſe at the Helm very uneaſy. But they were ſoon rid of that Trouble: For His Lordſhip being, on the 15th of *May*, taken ill, he dy'd on the 19th, of an Inflammation of the Lungs: And it was obſerv'd, that notwithſtanding he had ever been a *ſtrenuous Aſſertor* both of the *Revolution* and *Hanover* Succeſſion, yet he was more regretted by the *Tories*, than by the *Whigs*: Which confirm'd the general Opinion, That His Lordſhip had enter'd into Meaſures with ſome of the *Late Managers*, to ſtave off the *intended Impeachments*.

All this while, the *Tories* and *Jacobites* endeavour'd to alienate the Minds of the People from the preſent Settlement; and, by *Riots and Tumults* on publick Feſtivals, to prepare them for a general Inſurrection. To prevent the dangerous Tendency of ſuch tumultuous Aſſemblies, the Juſtices of Peace of the City and Borough of *Weſtminſter*, did, on the 5th of *May*, make the following Order:

'IT having of late frequently happened, by the Inſtigation 'and Encouragement of ſome wicked, ſeditious, and 'ill-minded Men, under falſe Pretences of Joy, but with real 'Deſign to diſturb the Peace of the Government, that ſeveral 'idle, looſe, diſorderly, mean Perſons, have riotouſly and tu'multuouſly met and aſſembled themſelves together, with great 'Noiſe and Clamour, committing ſeveral Outrages and 'Breaches of His Majeſty's Peace, to the certain Hurt and 'Damage, as well to the Bodies as Habitations of many, and 'to the great Terror and Affrightment of all His Majeſty's 'Good Subjects; the like which Riots, Routs, and Unlawful 'Aſſemblies, unleſs hereafter hinder'd and prevented, or 'timely repreſſed, may prove of very dangerous Conſequence 'and Hazard to the good State and Government of the Na'tion. His Majeſty's Juſtices of Peace for this City and Li'berty, being deeply affected with the Diſorders that have al'ready happen'd, and conſidering the moſt proper Methods

'for

'for preventing the like for the future, have agreed and re-
'ſolv'd to put the ſeveral Laws againſt Riots, Routs, and
'unlawful Aſſemblies, in ſtrict Execution; And they have
'thought fit and do accordingly order, That the High and
'Petty Conſtables of and within this City and Liberty, as
'alſo the ſeveral Beadles and Watchmen within the ſame, do
'take effectual Care, and uſe their utmoſt Diligence, not on-
'ly in the Night, but in the Day-time, as there ſhall be Oc-
'caſion; and more eſpecially, when there ſhall be the moſt
'likely Fear and Suſpicion of the gathering together of looſe
'and diſorderly Perſon, to commit Riots, within any of their
'Pariſhes or Precincts, and if need be, that they meet and
'join together, by the Direction of any of the Juſtices of Peace
'of this Liberty, or the High-Conſtable thereof, to prevent
'all ſuch Riots, Routs, and unlawful Aſſemblies, in the ſaid
'Pariſhes, Precincts, or any Part of the ſaid Liberty. And
'if ſuch Riots, being made cannot be ſuppreſs'd but with
'greater Force, that the ſaid High and Petty Conſtables do
'ſummon and require, as by Law they may, ſuch a ſufficient
'Number of Inhabitants to aid and aſſiſt them, their Beadles
'and Watchmen, in the Suppreſſion thereof, as ſhall be need-
'ful and requiſite: And that they apprehend the Offenders in
'ſuch Riots, Routs, and unlawful Aſſemblies, and bring, or cauſe
'them to be brought before one, or more, of his Majeſty's Ju-
'ſtices of Peace of this Liberty, or before his Majeſty's Ju-
'ſtices of Peace, who will be daily aſſembled in Petty-Seſſi-
'ons, within their reſpective Diviſions, on this Occaſion, to
'anſwer and be dealt withal according to Law: Hereof the
'ſaid High Conſtable, Petty Conſtables and Beadles may not
'fail at their Perils: And to the End due Notice of this Or-
'der may be had to all Perſons concern'd, It is further or-
'der'd, That a ſufficient Number of Copies hereof be printed
'and affix'd on ſuch publick Places, and diſpers'd in ſuch Man-
'ner, as the High Conſtable of this Liberty ſhall think fit.

By Order of the Juſtices,
W. Taylor, D. Cl. Pac.

But it ſoon appear'd that this Order was too weak a Curb to reſtrain the Inſolence of the deluded Multitude: Of which the Government being apprehenſive, the Night before the King's *Birth-Day*, (the 28th of *May*,) Orders were given to the *Life-Guards*, and *Horſe-Grenadiers* to be

be ready to mount upon the First Notice. Whether the Discontented had Notice of this Precaution, or no, they were pretty quiet on that Festival; And the Constables, who had been posted in several proper Places, made shift to preserve the Peace of the Cities of *London* and *Westminster*; and took up such Persons as offer'd to disturb it. But, it seems, the *High-Church* and *Jacobites* reserv'd the Demonstrations both of their *Insolent Joy*, and *Saucy Disaffection* for the next Day; which being, by Parliamentary Appointment, the Anniversary of the *Restoration* of the Royal Family, they resolv'd to celebrate it, in a most extraordinary Manner, throughout all *England*; not only out of a Compliment to the *past*, but, rather, with the fond *Hopes* and *Wishes* of a *future Restoration*. It was observ'd, That many who on the King's Birth Day affected to be in *Mourning*, put on *New-Cloaths* on this Occasion; And in the Evening the *Tories* not only made greater Illuminations and more Bonefires, than the *Whigs* had done the Day before; but likewise excell'd above the latter by their *Mobbs*, who in several Places, particularly in the City, broke the Window Glasses of such Houses as were not Illuminated; without sparing those of the Lord Mayor. Four Life-Guards, who were patrolling were insulted by a Mobb that made a Bonefire in *Chancery-Lane*; and oblig'd, to cry with the Populace, for HIGH-CHURCH and the Duke of *ORMOND*. In *Smithfield* there was the greatest *Mobb*, that was known in *London* since *Sacheverel*'s Tryal; and who burnt in great Pomp, the Effigie of *Oliver Cromwell*, or as some pretend, of Mr. *Hoadly*. In *Ludgate-Street* and other Places, the *Pretender*'s Health was publickly drank; and there being but Four Companies of the Trained-Bands under Arms that Night, they were not able to quel the riotous Multitude every where. However, about Thirty of the *Mutineers* were secured, and committed to the *Counter* and other Prisons. The same Evening also, one *Bournois*, a *French Popish* School-master was by Sir *Charles Peers* committed to *Newgate*, for High-Treason; having affirm'd, That King *George* had *No Right to the Crown*. But the Disorders that happen'd in *London* and *Westminster*, both on the *Restoration* Day, and the preceding Night, were

not

not to be compared to the *Riots* and *Tumults* committed, on thoſe Two Feſtivals, in ſeveral other Places, particularly at *Oxford*; which ſeem'd to be a Signal for the *High Church* Mobb, in *England*, to inſult the *Diſſenters*, and pull down their *Meeting Houſes*: Which Ill Humour was ſet a-running by the Leaders of the Faction, under a ſpecious Zeal for the Church; but with a *true Deſign*, to overſet the Government by an *Open Rebellion*.

To this Purpoſe, we may obſerve, That about the middle of *May* an intercepted Letter was tranſmitted from *Ireland* to the Government, written by Captain *Wight*, a Reformed Officer of *Windſor*'s Regiment here in *England*, to his Friend in that Country; and, by a Miſtake, carried to one of the ſame Name, wherein were theſe traiterous Expreſſions: *The Duke of* Ormond *has got the better of all his Enemies; and I hope we ſhall be able in a little Time to ſend* G---E *Home to his Country again.* Hereupon a Warrant was iſſued out from the Secretary's Office for Apprehending the ſaid Captain *Wight*, who abſconding, a Reward of Fifty Pounds was offer'd by the Government, to whomſoever ſhould diſcover him. About this Time alſo, Mr. *George Jeffreys* was ſeized at *Dublin*, upon his Landing there from *England*; and being brought to be examin'd before the Lords Juſtices, a Packet was found about him, directed to Doctor *Jonathan Swift*, Dean of St. *Patrick*, *Dublin*, one of the moſt *profligate*, *mercenary Tools* of the *late Managers*. This Packet Mr. *Jeffreys* own'd he had receiv'd from one of the Duke of *Ormond*'s Chaplains; and ſeveral Treaſonable Papers being found in it, the ſame were tranſmitted to the Government; and, in the mean Time, Mr. *Jeffreys* was oblig'd to give Bail for his Appearance; of which the *Libeller Swift* having Notice, and that Search was made after him, he thought fit to abſcond.

From all theſe Paſſages, it is evident, to a *Demonſtration*, that in order to prevent an Inquiry into *former Miſcarriages*, and *Miſmanagements*, there was a Deſign formed by the *Late Miniſters*, and their *Adherents*, not only to *diſtreſs*, but even *totally* to *ſubvert* the *preſent happy Settlement*, which ſhews both the *Reaſons* and *Neceſſity* of *Impeaching* the ſaid *Miniſters*.

THE

The *History* of the *Impeachments* of the *Late Ministry.*

ON *Wednesday* the First of *June* 1715, the Lords sent down to the Commons *the Bill for the better regulating the Forces to be continued in His Majesty's Service*, &c. And the Amendments made to the Bill by their Lordships being read, a Motion was made, and the Question put, That the further Consideration of the said Amendments be adjourn'd: Which was carried in the Negative; and then those Amendments were severally read a Second Time, and agreed to by the House. Mr. *Shippen*, having on this Occasion, reflected on the present Administration, as if they design'd to set up a *Standing Army*, and insinuated as if, after the great Clamour that had been raised, their *Secret Committee* would end in *Smoke*: He was smartly taken up by Mr. *Boscawen*, Comptroller of His Majesty's Household, who said, 'He could not forbear taking Notice of the Insolence of 'a certain Set of Men, who having committed the blackest 'Crimes, had yet the Assurance to *dare the Justice of the Nation*; 'But that he hoped, those Crimes would not long remain un-'punish'd; that the *Committee of Secrecy* were ready to make 'their Report; and had directed their Chairman, to move the 'House, the very next Day, that a Day might be appointed for 'receiving the said Report; and, That in the mean Time, he might 'venture to assure the House, That they had found sufficient Mat-'ter to impeach of High-Treason, several Lords and some Com-moners.' Mr. *Walpole*, said to the same Purpose, 'That he wanted 'Words to express the *Villainy* of the last *Frenchified Ministry*;' and Gen. *Stanhope* added, 'He wonder'd, that Men who were conscious 'of being guilty of such enormous Crimes, had yet the Assurance 'and Audaciousness to appear in the Publick Streets.' The next Day (*June* 2.) Mr. *Walpole* acquainted the House, from the *Committee of Secrecy*, 'That they had examin'd the Books and Papers refer'd 'to them, and had Matters of the greatest Importance to lay be-'fore the House; and that the Committee had directed him to 'move the House, that a Day might be appointed for receiving 'their *Report*:' Upon which, after a small Debate, it was *order'd*, That *the Report be receiv'd upon that Day Seven-night*; and *that all the Members do then attend the Service of the House, upon Pain of incurring the highest Displeasure of this House.*

On the 3d of *June* the King came to the H. of Peers, to give the Royal Aſſent to the *Malt Bill*, and to the *Act for the better regulating the Forces*: After which the Commons adjourn'd to *Wedneſday* the 8th of *June*, by Reaſon of the *Whitſun* Holy Days; But *order'd*, That, the *Committe* of *Secrecy* have leave to ſit during the Adjournment of the Houſe.

On the 9th of *June* Mr. *Walpole* from the *Committee* of *Secrecy*, acquainted the Houſe, *That he had a Report to preſent, but that he had the Commands of the Committee to make a Motion to the Houſe before he read the Report; That there are in the Report Matters of the higheſt Importance: That altho' the Committee had Power to ſend for Perſons, Papers and Records, they did not think fit to make uſe thereof, believing it to be neceſſary, in order to bring Offenders to Juſtice, that ſome Perſons ſhould be ſecur'd before 'tis poſſible they ſhould know what they are to be examin'd to, and leſt they ſhould have Notice from what ſhould be read in the Report, to make their Eſcape: He was commanded by the Committee (according to former Precedents) to move, that a Warrant may be iſſued by Mr.* Speaker *to apprehend certain Perſons who ſhall be named to him by the* Chairman *of the ſaid* Committee; *and that no Members may be permitted to go out of the Houſe.* Hereupon it was *Ordered*, 1ſt, *That the* Lobby *be cleared of all Strangers, and the Back-Doors of the* Speaker's *Chamber be lock'd up, and the Key brought and laid upon the Table; And that the Serjeant do ſtand at the Door of the Houſe, and ſuffer no Member to go forth.* 2dly, *That Mr.* Speaker *do iſſue his Warrant to the Serjeant at Arms attending this Houſe, to take into his Cuſtody ſuch Perſons as ſhall be named to Mr.* Speaker *by the* Chairman *of the* Committee of Secrecy, *in order to their being examin'd before the ſaid* Committee. Hereupon Mr. Speaker iſſued out his Warrants to the Serjeant at Arms, to take into his Cuſtody ſeveral Perſons that were named to him by Mr. *Walpole*, particularly Mr. *Matthew Prior*, and Mr. *Thomas Harley*, the firſt of whom was immediately apprehended, and the other ſome Hours after.

This done Mr. *Walpole* acquainted the Houſe, 'That the Committee of *Secrecy* had peruſed the Books and Papers referred to 'them, and had agreed upon a Report, which they had commanded him to make: That it was contain'd in Two Books, One of 'which was the Report, the other by Way of Appendix to it, contain'd 'at large thoſe Letters and Papers which were referr'd to in the 'Report." And he read the *Report* in his Place, and afterwards deliver'd the ſame in at the Table, together with the *Appendix*, and the Books which were referr'd to the ſaid Committee. The Reading of the ſaid Report having taken up about Five Hours, *viz.* from One till about Six in the Afternoon, a Motion was made by the Friends of the *late Miniſtry*, and the Queſtion put, That the further Conſideration of the Report be adjourn'd till the next Morning, but the ſame being carried in the Negative by a Majority of, 282 Votes againſt 171; it was order'd that *the Report*

port be now read: And the Clerk of the House having read Part of it, till Half an Hour past Eight, the further Consideration of it was *adjourn'd* till the next Morning; and the Call of the House to *Monday* Seven night, the 20th of *June*.

Before we proceed, it is necessary to observe, That *the several Books and Papers refer'd to the Committee chiefly relating to the late Negotiations of* Peace and Commerce; 2. *To the intended* Demolition of Dunkirk; 3. *To the Obtaining and Disposing of the* Assiento Contract; 4. *To some Negotiations concerning the* Catalans; *And* 5. *To secret Transactions relating to the* Pretender: The Committee have in this Report only gone through the Books and Papers that relate to the 1st, 4th, and 5th Heads; and have reserv'd for another *Report*, the Affairs of *Dunkirk* and the *Assiento*.

The first Part of this *Report*, may be subdivided into *Ten Points*, *viz.* 1. The *Clandestine Negotiations* with Mr. *Mesnager*, which produced *Two Sets* of *preliminary Articles*; the one *private* and *special* for *Gr. Britain* only; the other *General* for all the *Allies*. 2. The *extraordinary Measures* pursued to form the Congress at *Utrecht*. 3. The *Trifling*, and *Amusements* of the *French* Plenipotentiaries at *Utrecht*, by the Connivance of the *British Ministers*. 4. The *Negotiation* about the *Renuntiation* of the *Spanish* Monarchy. 5. The *fatal Suspension* of *Arms*. 6. The *Seizure* of *Ghent* and *Bruges*, in order to *distress* the *Allies*, and *favour* the *French*. 7. The Duke of *Ormond*'s Acting in Concert with the *French* Gen. 8. The L. *Bolingbroke*'s Journey to *France* to negotiate a *Separate Peace*. 9. Mr. *Prior*'s and the D. of *Shrewsbury*'s Negotiations in *France*. And 10. The *precipitate Conclusion of the Peace* at *Utrecht*. After this, the Committee *offer to the House* what they have found material in the Papers referr'd to them, concerning the *Catalans*, and the *Pretender*; insert at large, a Letter from the E. of *Oxford* to the Queen, with *an Account of publick Affairs from* Aug. 8. 1710. to *June* 8. 1714; and take Notice of several *glaring Inconsistences*, that are *obvious* to every Body, *by* Comparing the *late Queen's Declarations*, with the *Measures* her *Ministers presumed* to take. This *Report* is digested into a clear, easie Method; written in a plain, but nervous and manly Stile; and with the Dignity becoming a *Select Number* of Men, pick'd out in so *great* an *Assembly*, as the Commons of *Gr. Britain*; and *interwoven* with most judicious *Remarks* and *Observations*, that both trace every Step to its true Cause, and illustrate the Whole, which must be allowed to be a *Master-Piece* in its kind.

To begin then: THE COMMITTEE was in hopes, in so Voluminous an Inquiry, to have been able to trace out the whole Progress of these Negotiations; but to their Surprize they find a want of several Papers referr'd to in those that have been deliver'd to them, and frequent and long Interruptions of some very material Correspondences that were crrry'd on: But, however, the Committee proceeded to draw up the following Report, warranted and founded upon such Authorities, as the Persons concern'd vouchsafed not to suppress.

The first material Paper is Entituled, *The first Propositions of* France, sign'd by Monsieur *de Torcy*, *Aprill* 22. 1711. *N. S.* To whom these Propositions were directed, what previous Steps had been made on the part of *France*, or what Encouragement had been given on the part of *England*, does not appear; but it is evident that they are conceiv'd in very loose and general Terms; that from the beginning the Design of *France* was to secure *Spain* and the *West-Indies* to King *Phillip*, to create Jealousies among the Allies; and that *France* offer'd to Treat with *England* and *Holland* either by themselves, or jointly with the rest of the Allies, which was left to the Choice of *England*.

On the 27th of *April*, 1711. *O. S.* Mr Secretary St. *John*, transmits these Propositions to Lord *Raby*, the Queen's Ambassador at the *Hague*, with Orders to Communicate them to the Pensionary, *To assure that Minister the Queen was resolv'd in making Peace, as in making War, to act in perfect Concert with the States, and desires the Secret may be kept among as few as possible; he confesses that the Terms of the several Propositions are very general, that there is an Air of Complaisance shown to* England, *and the contrary to* Holland, *which might be of ill Consequence, but can be of none, as long as the Queen and States take care to understand each other, and to act with as little Reserve as becomes two Powers so nearly ally'd in Interest; and desires the Pensionary to be assur'd, that this Rule shall on our Part be inviolably observ'd.*

Lord *Raby* by his Letters of *May* the 25th and 26th, 1711. *N. S.* to Mr. St. *John*, in answer to these Orders and Assurances, acquaints him, *That the Pensionary had, with those of that State who had been formerly employ'd in the Negotiations of Peace, consider'd Monsieur* de Torcy's *Propositions, and the obliging manner in which her Majesty was pleas'd to Communicate them; that they thank'd her Majesty for her Confidence in them, and assure her, that theirs is reciprocal; and that as her Majesty had promis'd, she will make no step towards a Peace but in concert with them, they desire she may be assur'd of the same on their Part; and they urge the necessity of an entire Confidence one with the other at this critical Juncture; they declare themselves weary of the War, which they endeavour to conceal from the Enemy, lest he should make his Advantage by it; and that they are ready to join in any Measures, which her Majesty shall*

think

think proper, to obtain a good Peace. But they look upon these Propositions as yet, in the same manner as the Secretary does, to be very dark and general, and design'd to create Jealousies between her Majesty, that Republick, and the Allies; but they depend upon her Majesty's Justice and Prudence, to prevent any such ill Effect, and hope she will make the French *explain, more particularly, the several Points contain'd in them.*

After these mutual Assurances betwixt *England* and *Holland*, the Committee is surpriz'd to find not the least Communication to the States of the Negotiations that were carrying on for above five Months together, betwixt *England* and *France*, till after the *special Preliminaries* were sign'd, and the *seven general* Preliminaries were concluded and sent to them.

In the mean time Lord *Raby*, not being as yet let into the Secret, freely declares, *He thought it advisable and necessary, to go open with the States in this matter of the Propositions; acquaints the Secretary, that all the Letters from* France *agreed, that all the hopes the* French *had, was to sow Jealousies among the Allies*: And repeats his Advice, *That we must act cautiously with them (the States) that they may have no reason to accuse us, for taking the least Measures without them.*

But it was not long before Mr. Secretary St. *John* prepared his Excellency to have other Sentiments of the manner of carrying on this Negotiation, and in his Letter of the 29th of *May*, acquaints him with the agreeable News, *That it was her Majesty's Pleasure, that his Excellency should make all possible haste to come over, since her Service may better dispense with his Absence at this Point of time, than it will perhaps do at another, and since we must now expect to have very soon upon the* Tapis, *many Intrigues, concerning which the Queen thinks it expedient that he should confer with the Ministers here; acquaints him, that her Majesty design'd, upon his arrival, to give him the Promotion in the Peerage, which he had desired.* And then, that his Excellency might begin to have some Notions agreeable to the Sense of our Ministers, Mr. St. *John*, in answer to some very long Letters of his Lordship's, full of his own Reasonings, and the repeated Assurances of the Ministers of the States to act in perfect Concert, and with an entire Confidence in her Majesty, tells him in these Words, *That* Britain *had gone so much too far in weaving her Interest*

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into that of the Continent, that it would prove no easie Task to disentangle our Affairs without Tearing or Rending.

But this work of Tearing and Rending did not at all discourage his Excellency, who waiting then for several Posts from *England*, stop'd by contrary Winds, and beginning to suspect that the course of the Negotiation was turn'd into another Channel, that the Ministry here might be satisfy'd that his Lordship could without much difficulty depart from his own Opinion, he declares in his Letter of *June* the 16th, 1711, *N. S.* to Mr. *St. John*; *You may be assured, I will venture any thing and undertake any thing to serve the Queen, you may venture boldly to trust me with the real Intentions, and be assur'd, I will not make further use of them than according to my Instructions. He tells him, if the thing is actually gone no further than it appears, and* France *has not yet explain'd, and he has a mind, that he should come over for the Queen's Service, he is ready to come in a Yatcht, Frigat, hacket-Boat, or any way; and concludes in short, Dispose of me how you please, for all my desire is to serve her Majesty to her Satisfaction, and I shall never grudge any Danger and Pains?* This voluntary and frank Declaration his Excellency desired in a particular manner, might with his humble Compliments, be communicated to the Duke of *Shrewsbury* and Mr. *Harley*.

The Committee observe, That if the *Dutch* had made any Attempt to wrest the Negotiation out of the Hands of the Queen, if they had enter'd into any separate Measures, or taken any Steps that might give just occasion of Offence or Suspicion to *England*, 'tis very probable the Accounts of any such Proceedings would have been left by the Ministry for their own Justification; but the Committee do not find the least intimation of this kind, and are at a loss to know upon what Pretence such solemn Assurances were dispens'd with as soon as made, and the Honour and Name of the Queen sacrificed to the private views of her Ministers.

All Transactions betwixt *England* and *France* during this time, except two or three Papers, are entirely suppress'd, which in Lord *Strafford*'s Instructions of *October* the 1st, 1711, are said to have been carry'd on by Papers sent backward and forward, and much time spent therein; the first Paper that is found, is call'd, *Private Propositions sent by Mr.* Prior *from* England, *dated* July 1. The next is a

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Paper call'd, Mr. *Prior's Authority*; this is ſign'd, *Anne R.* at the top, and *A. R.* at the bottom, not counterſign'd, and is without a Date, and the Contents are, *Mr.* Prior *is fully Inſtructed and Authorized to communicate to* France *our Preliminary Demands, and to bring us back the Anſwer.* Which two Papers, muſt be underſtood to be Mr. *Prior's* Powers and Inſtructions; but by an Entry in Lord *Strafford's* Book ſubjoin'd to theſe private Propoſitions carry'd over by Mr. *Prior*, it appears that Mr. *Prior* had Orders to ſee if *France* had full Powers from *Spain.*

Theſe Propoſitions which were form'd here, leave no room to doubt of the little Concern the Miniſtry had to make good the repeated Aſſurances that had been given to the Allies, in the Queen's Name, to make the *French* more plain and particular, ſince in all things that concern the Allies the *Engliſh* Propoſals are as dark and general, as thoſe that came from *France*; and if this ſtill could be any Queſtion, it is ſufficiently clear'd up in a third Paper, entituled, *Draught of Anſwers upon the Conference with Monſieur* Meſnager, wherein the *Britiſh* Miniſtry is much ſurpriz'd to find *That Monſieur* Meſnager *had Orders to inſiſt that the Queen ſhould enter into particular Engagements upon divers Articles which depend not upon her, and which regard the Intereſt of the Allies; they appeal to all the Papers which had been ſent backward and forward during this Negotiation, and to that which was carry'd by Mr.* Prior, *that the Principle upon which they had treated all along was, That* France *ſhould conſent to adjuſt the Intereſts of* Great Britain *in the firſt Place. This is a Principle from which the Queen can never depart, and that it was abſolutely neceſſary to remit the Diſcuſſion of the particular Intereſt of the Allies to general Conferences.* By which it appears, that the Miniſter of *France* was inſtructed to treat of the Intereſts of the Allies, which the *Engliſh* Miniſtry would by no means conſent to.

By Monſieur *Torcy's* Propoſals, *France* offer'd to treat with *England* and *Holland*, either by themſelves, or jointly with the reſt of the Allies, not conceiving that *Holland* could poſſibly be excluded from the Negotiation; but it is determin'd by the *Engliſh* Miniſtry to carry on a ſeparate Negotiation with *France*, excluſive of all the Allies, and in their private Propoſitions an expreſs Article is inſerted, *That the*

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Secret ſhould be inviolably kept, 'till allow'd to be divulg'd by the Conſent of both Parties; and thereby *England* put the Negotiation into a Method more advantageous for *France*, than *France* had propoſed or could hope for.

The Committee inſert here the firſt Part of the Eighth Article of the Grand Alliance, wherein it is ſtipulated, *Neutri partium fas ſit, Bello ſemel ſuſcepto, de Pace cum Hoſte tractare, niſi conjunctim, & communicatis Conſilliis cum alterâ Parte.* What will be thought of ſo manifeſt a Violation as this whole Proceeding appears to be, of the Grand Alliance, the Committee will not take upon them to determine; but this Step being once taken, and Secret Preliminaries ſign'd upon this Foot between *England* and *France*, before any thing had been finally treated and concluded for the Security of *Great Britain*, what fatal Conſequences did happen to her Majeſty's Kingdoms, and what Advantages accrued to the common Enemy, ſeems to deſerve the moſt mature Conſideration. They likewiſe obſerve, that here, in the very Infancy of the Negotiation, the Trade of the World, and the entire *Spaniſh* Monarchy which had coſt ſo many Millions, and the Effuſion of ſo much Blood, without being once inſiſted upon, contrary to the repeated Addreſſes of ſeveral Parliaments, and the declar'd Senſe of the Queen, are given up by the *Engliſh* Miniſtry to the Houſe of *Bourbon*, for *Verbal Aſſurances* that the Crowns of *France* and *Spain* ſhall never be United.

There is no Account given of any Correſpondence with Mr. *Prior* during this his Stay in *France*, nor does the certain time of his Continuance there appear. Upon his Arrival in *France*, Monſ. *de Torcy* in his Letter of the 3d of *Auguſt*, 1711, *N. S.* tells Mr. *St. John*, *he ſaw with great pleaſure Mr. Prior return, after an interval of ſo many Years; that he could have wiſh'd, he had had greater Liberty to employ thoſe Talents which he was perſuaded he would have made a good Uſe of, but he hopes Monſ.* Meſnager *will ſupply what he could not do.* Upon his Return he was attended by Monſ. *Meſnager*, a Miniſter of *France*, veſted with full Powers in due Form, and dated *Auguſt* 3, 1711, to Treat, Negotiate, Conclude, and Sign with ſuch Miniſters, as ſhould be authoriz'd in due form, not by *Britain* only, but any of the Princes or States then in actual War with *France*. That Monſ. *Meſnager*, upon his arrival here, frequently conferr'd with the Queen's Mini-

Miniſters, appears by many Inſtances; but the ſubject Matter of theſe Conferences, the Times, Places, and particular Perſons with whom he Treated, or by what Authority, the Committee find no Account of, till the 20th of *September*, 1711. That by a Letter of Mr. Secretary *St John*, then at *London*, of that date to the Queen at *Windſor*, it appears that the *Lord Treaſurer*, *Lord Chamberlain*, *Lord Dartmouth*, and Mr. *St. John* met Monſ. *Meſnager* that Evening at Mr. *Prior*'s Houſe; which Meeting, as Mr. *St. John* ſays, was by Order of the Lords of the Committee of Council, but ſeems unknown to the Queen until the Secretary acquainted her with it by this Letter. That at this Meeting Monſ. *Meſnager* deliver'd to the *Britiſh* Miniſters the Anſwer, ſign'd by the King of *France*, to the Demands laſt ſent over by *England*; which Demands and Anſwers were made the Secret Preliminary Articles betwixt *Great Britain* and *France*, and were ſign'd as ſuch, *September* 27, 1711, by Monſ. *Meſnager* on the Part of *France*, and the Acceptation of them by Lord *Dartmouth* and Mr. *St. John*, on the Part of *Great Britain*. That Mr. *St. John*, in this Letter, repreſents it to the Queen as the unanimous Opinion of her Servants, then preſent, that a Warrant and full Powers ſhould be prepar'd that Night, and tranſmitted to her Majeſty to be ſign'd, in Order to paſs the Great Seal the next Day, whereby the Earl of *Oxford*, the Duke of *Buckinghamſhire*, the Biſhop of *Briſtol*, the Duke of *Shrewsbury*, Earl *Poulett*, Earl of *Dartmouth*, *Henry St. John*, and *Matthew Prior*, Eſqrs; were to be Conſtituted Plenipotentiaries, to meet and treat with Monſieur *Meſnager*, which Warrant, and a Tranſlation of the full Powers, were ſent to the Queen. That this Warrant under the Signet appears ſign'd by the Queen, directing the Lord Keeper to affix the Great Seal to an Inſtrument thereunto annex'd, containing her Commiſſion to himſelf, and others therein nam'd, to meet and treat with the Sieur *Meſnager*; but it does not appear, that any ſuch Inſtrument did paſs the Great Seal, the Warrant remains not counterſign'd, and endors'd *Not uſed*. That this Warrant is dated the 17th of *September*, although 'tis manifeſt by Mr. *St. John*'s Letter, it was not prepar'd, nor thought of, till the 20th: Which antedating ſeems deſign'd to juſtifie the Miniſters, in their meeting and conferring with the Queen's Enemies, previous to the War-

rant; which never passing into a legal Authority, it appears that these secret Negotiations betwixt *France* and the Queen's Ministers here, were begun and carry'd on from the 11th of *April* to the 25th of *September* 1711, when the Warrant to Lord *Dartmouth*, and Mr. *St John* was sign'd, without any Powers or written Authority from the Queen; and it is very observable, that the Queen was brought into these Measures, by its being represented to her by the Secretary of State as the *unanimous Opinion of all her Ministers*, to which alone the Assent of the Queen is to be ascrib'd. But what is more strange, is, that after Mr. *St. John* had represented it to the Queen, as the unanimous Opinion of her Ministers, that full Powers must immediately pass the Great Seal to authorize them to meet and treat with the said Monsr. *Mesnager*, these Powers should be laid laid aside: And the Acceptation of the Preliminaries sign'd by Ld. *Dartmouth* and Mr. *St. John*, by Virtue of a Warrant directed to them Two only, sign'd by the Queen at Top and Bottom, and countersign'd by no Body.

Where the Obstruction arose to the passing theses Powers, does not appear to the Committee; but those Ministers seem Conscious to themselves of what was doing, who so readily concurr'd in privately meeting, conferring and treating with the Ministers of *France*, till this separate Negotiation was brought to Maturity; but avoided to become Parties when the Treaty was to be sign'd and executed. That this great Care and Caution for their own Persons, and little Regard for the Honour and Interest of their Queen and Country, appears through this whole separate Negotiation: It being very remarkable that there is not one Paper of Powers or Instructions throughout the whole Affair countersign'd by any one Minister, but the Queen's Name expos'd to cover all; which looks as if they flatter'd themselves, that this Omission of their Duty would be sufficient to skreen them from the Justice of the Nation, if these Matters should ever come to be enquir'd into.

The Committee observes, That after such a Sacrifice made of the general Interest of *Europe*, such a direct Violation of the Grand Alliance, and such unwarrantable and illegal Steps taken in transacting and concluding these Special Preliminaries between *England* and *France*, it had been but reasonable

reaſonable to expect in them ſome very particular Advantages and Conceſſions made to *Great Britain*, to attone for ſuch unprecedented Tranſactions; but it is aſtoniſhing to find how inſignificant all the Demands are, that were made on the Part of *Great Britain*; and, inconſiderable as they were, how ineffectual they have ſince been rendred. That nothing poſſibly could be ſaid leſs with Regard to the Succeſſion, than what is here demanded in the firſt Article. The Queen not yet acknowledg'd by *France*, nor deſign'd to be ſo, 'till the Concluſion of the Peace, as *France* afterwards explain'd this Article at the General Congreſs; not a Word of removing the *Pretender*, nor any Engagement not to ſupport him in any Attempt he might make upon the Nation. That the Second Article offers a Treaty of Commerce, in ſuch doubtful Words, as *France* only could make Advantage of. That in the Article of *Dunkirk*, the Equivalent is expreſs'd in ſo ſtrong a Manner, and the Demolition ſo very looſely; as could not but bring certain and great Prejudice to our Allies, with very little Proſpect of Advantage to our ſelves; and fatal Experience has convinc'd us, what Security is procur'd for our Navigation by this Third Article. That the Fifth and Seventh Articles chiefly regard the *Aſſiento* Contract; what a National Advantage that is like to be, is now too well underſtood to want much Explanation: But with what Views the Miniſters were ſo fond of this, as to make it their chief Care and Concern, will no longer be a doubt when it ſhall appear, that this Part of the Treaty was calculated only for private Advantage. That what the Miniſtry themſelves thought moſt valuable in theſe Articles, was that Part of the Seventh which grants us an Advantage of 15 *per Cent.* upon our Manufactures ſent to *Spain*: But this great Advantage ſoon vaniſh'd into nothing; and was given up by our Miniſtry here. The Biſhop of *Briſtol* ſays indeed of it, in his Letter of the 17th of *Auguſt* 1712, *That it was granted by the* French *with a Deſign either to enflame things between us and the* Dutch, *or to give the* French *a pretence to ſtipulate for themſelves ſuch particular Advantages in the* Spaniſh *Trade as may be the Ruin of ours.* But what is moſt remarkable in the Seventh Article is the Introduction to it, in which the Miniſtry confeſs themſelves to have been impos'd upon by *France*; for they declare, 'That from the firſt Propoſals

'of Monſ. *de Torcy* to that Time, they always underſtood 'that by the real Securities promis'd in thoſe Propoſals, 'were meant Places; which now was abſolutely refus'd; 'and they conſent to take for real Securities what they 'confeſs is none, but what a Love of Peace may induce 'them to accept as an Equivalent." That what was really of moſt Importance to *England* was the Eighth Article, which relates to *Hudſon's Bay* and *Newfoundland*; but the Miniſtry ſuffer'd themſelves to be ſo groſly impos'd upon in this Article, that they directly give to *France* all they wanted, which was a Liberty of taking and drying their Fiſh; whilſt *France* gives nothing at all to us, but refers our moſt valuable Intereſts to the general Conferences: Which was but another manner of denying them, as the Event has ſufficiently ſhewn. That we demand in the Sixth Article, that we ſhall have all the Privileges that have been or ſhall be granted by *Spain* to the Subjects of *France*, or any other Nation. Whereas the Miniſters ought to have inſiſted that *France* ſhould not upon any Pretence whatſoever be permitted to trade to the *Spaniſh Weſt-Indies*, which they would not have omitted, if they had had the leaſt regard to the Trade of *Great Britain*, or had not entirely forgot the Eighth Article of the Grand Alliance; wherein it is expreſly ſtipulated, as a Condition without which no Peace ſhall be made, *neque ipſis ibidem* (that is the *French* in the *Spaniſh Weſt-Indies*) *Navigatio Mercaturæ exercendæ cauſâ ſub quocunque prætextu, directè vel indirectè, permittatur.* One thing further is to be obſerv'd of theſe Articles, that ſuch of them as any way relate to *Spain* are expreſly granted in the Name and by Virtue of Powers given by King *Philip*, and yet after this, all Intentions of leaving any Part of the *Spaniſh* Monarchy to King *Philip* is publickly diſavow'd; That this ſhort View of theſe *Special Preliminaries* ſufficiently demonſtrates that the Intereſt of *Britain* was not the Inducement to our Miniſters to proceed in this extraordinary Manner. Yet trivial as theſe Advantages are, *France* is preſs'd that they may be firſt adjuſted; to what uſe and purpoſe is fully explain'd in the *Draught of Anſwers upon the Conferences with Monſieur* Meſnager, *That our Miniſters may be enabled to engage the Queen to make the Concluſion of the general Peace eaſie to* France.

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It is declared, That to ſettle the Intereſt of *Great Britain* in the firſt Place is the Principle from which the Queen can never depart; which Plea was made uſe of, to defer the Intereſts of all the Allies to be diſcuſs'd at general Conferences; but the Turn given to it here was to amuſe the People, by perſuading them that the *Engliſh* Miniſtry was contending for great and particular Advantages and Conceſſions to be made to *Great Britain*, that might make us ſome Amends for that *great and unequal Burthen* which we had lain under through the whole courſe of the War. But the *Engliſh* Miniſtry having thought fit every where to extol and magnifie the vaſt Advantages that were granted to *Great Britain*, *France* reſolved to make a proper uſe of it, and declar'd theſe Articles were an eventual or conditional Treaty only; and that the King of *France* would not be oblig'd to make them good, but in caſe of the ſigning of a general Peace; in this Senſe Monſieur *Meſnager* ſign'd them, and with this Condition they were accepted on our Part. Hard Terms! That ſuch Conceſſions as theſe were not to be purchas'd at a leſs Price than forcing upon our Allies ſuch Conditions of Peace as *France* ſhould be pleas'd to impoſe upon them; and this the Miniſtry were fully appriz'd of ſome time before they were accepted, for in preſſing to ſettle and adjuſt ſingly and ſeparately the Intereſts of *Great Britain*, they enforce it by ſaying, France *can run no Risk in ſuch Engagements, ſince the Special Preliminaries will have no Effect till a general Peace ſhall be ſign'd.* By theſe Means the Committee obſerve to how fatal a Dilemma the Queen was brought by her Miniſtry; ſhe muſt either now go on, through all Adventures, in the Meaſures of *France*, or they had it in their Power, by divulging the Secret and expoſing ſuch a notorious Breach of National Faith, to make what Advantage they thought fit of it among the Allies, who muſt from this Time think themſelves diſengaged from the Queen, if they could find their own Account by looking after themſelves.

And that the *French* were neither ſo ignorant, nor wanting to themſelves as to miſs ſuch an Opportunity, appears above Three Months before theſe Articles were ſign'd. When Lord *Raby* in his Letter of the 20th of *June*, 1711, *N. S.* to Mr. *St. John*, acquaints him, *That both the Penſionary and Monſieur* Vander Duſſen *had ſeen a Letter from Mon-*

Monſieur de Torcy, *giving and Account that they had begun a Negotiation in* England. By which Management the *Engliſh* Miniſtry had, under Colour of the Queen's Authority, and the pretence of treating of a Peace, put it in the Power of *France* to diveſt the Queen of all her Allies, and given them greater Advantages than they could any other ways have hoped for.

On the ſame Day that the *Special Preliminaries* betwixt *Great Britain* and *France*, were ſign'd, another ſet of General Preliminaries on the Part of *France*, was ſign'd by Monſieur *Meſnager* only; which Mr. *St. John*, in his Letter to the Queen, ſays, were to be ſent into *Holland*, as the Foundation of a General Peace, in which my *Lord Treaſurer* had made ſome Alterations to make the whole more palatable abroad: And, on the ſame Day, a ſeparate Article was ſign'd in favour of the Duke of *Savoy*. From this Time a perfect Confidence was eſtabliſhed between the Two Miniſtries of *England* and *France*; Lord *Strafford*'s Inſtructions in order to his immediate Return into *Holland* were now preparing, and dated *Oct.* 1. *O. S.* 1711. And as an early Proof of the Confidence which Mr. *St. John* repos'd in the *French* Miniſter, he acquaints Monſieur *de Torcy* by his Letter of *October* 2d. *O. S.* that the Earl of *Strafford* was going for *Holland*; and ſays, *Your Miniſter, (meaning Monſieur* Meſnager, *who was then going back to* France *and carried this Letter,) is fully inform'd in what the E. of* Strafford *is to propoſe to the States.* Such Intelligence of the Queen's Counſels, which Mr. *St. John* confeſſes he had given to the Miniſters of the Queen's Enemies, ſeems very extraordinary; eſpecially if it be conſider'd, that Lord *Strafford* was ſent over to preſs the opening the General Conferences, with Aſſurances of the greateſt Friendſhip and Concern for the Intereſts of the States, on the part of the Queen, and by her Authority to procure from *France* juſt Satisfaction for all her Allies; and in his Inſtructions is likewiſe directed to propoſe to the States a new Scheme for carrying on the War. Almoſt every Article in Lord *Strafford*'s Inſtructions is a Specimen of the Sincerity with which our Miniſters intended to treat the Allies. He is Inſtructed that it muſt be the moſt careful Endeavour and fix'd Principle of all the Confederates to hold faſt together; and this immediately after a ſeparate Treaty had been ſign'd by Us; and if

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the Miniſters of *Holland* ſhould expreſs any Uneaſineſs at their Apprehenſions of any ſuch private Agreement, he is order'd by *evaſive Anſwers* to avoid giving them Satisfaction concerning it. But his chief Buſineſs was to deliver to the States the Propoſitions ſign'd by Monſieur *Meſnager*, as the Foundation of a general Peace, and as the whole of what had been tranſacted; and to acquaint them that *France* had propos'd *Utrecht*, *Nimeguen*, *Aix la Chapelle*, or *Liege*, to be the Place for opening the Conferences; to preſs the States to fix upon One of theſe Places, and immediately to grant Paſſports to the *French* Plenipotentiaries to come thither and open the General Conferences.

Theſe Propoſitions, ſo very general and uncertain, did extreamly alarm the States, as not being a ſufficient Foundation upon which a Negotiation might be hazarded; which made them for ſome time decline granting the Paſſports; and in order to prevail with the Queen to have ſome regard to her faithful Allies, and particularly in the two great Articles of their Barrier, and Commerce, they ſent over Monſ. *Buys* to intercede with her Majeſty to alter her Reſolutions; they make the ſame Repreſentations to the E. of *Strafford*, but all to no Purpoſe. For as Mr. *St. John* declar'd in his Letter to my Ld. *Strafford* of *October* the 9th, *certain it is that her Majeſty has ſo far determin'd upon her Meaſures, that thoſe will deceive themſelves who may imagine by delay or other Artifices to break them.* And again *November* the 2d, to Ld. *Strafford*, *The Queen will not finally concert a Plan for the Proſecution of the War with the States, untill they join with her in agreeing to open the Conferences of Peace.* And Ld. *Strafford* acquaints Mr. St. *John*, *November* the 15th, *that he had now told them her Majeſty's Order to him was to declare, That ſhe ſhould look upon any delay as a Refuſal to comply with her Propoſitions.* In theſe Circumſtances the *Dutch*, at laſt, comply to grant the Paſſports, and agree to open the general Conferences at the time fix'd by the Queen, *January* the firſt, 1711-12.

The Reſolution of the States General upon this Occaſion muſt have mov'd any ſett of Men, not already determin'd to hear no Reaſon but what came from *France*; for altho' the Repreſentations made by the States, on both ſides the Water, had made ſome Impreſſions, as is evident by a Memorial deliver'd by Mr. St. *John* to the Abbot *Gaultier*, *October*

tober the 29th, 1711, and by Mr. *St. John's* Letter to Monſ. *de Torcy* of the ſame date, that accompany'd it; yet 'tis in the Memorial declar'd, *that the Queen remains firm in her firſt Reſolution of cauſing the Conferences to be opened upon the Articles ſign'd by Monſ.* Meſnager. *The ſame Memorial declares, it was abſolutely neceſſary that the moſt Chriſtian King ſhould give to her Majeſty the Queen, ſuch Explications of his Intentions in reſpect to the particular Intereſts of the Allies, which he ſhall think proper to engage them to come more eaſily into the general Negotiation.* So that hitherto 'tis plain, our Miniſters were entirely Ignorant even of the King of *France's* Intentions with regard to the Allies. And again 'tis ſaid, *If her Majeſty wiſhes the moſt Chriſtian King would give an Explication to the aforeſaid Demands, &c. his moſt Chriſtian Majeſty may aſſure himſelf, the Queen will make no other uſe of the Truſt the King ſhall repoſe in her, but to advance the Negotiation, in ſeeking the ſhorteſt means, and the moſt effectual, to obtain a Peace ſo much coveted.* It is therein again acknowledg'd, that the *Dutch* have nothing in view but their Barrier and Commerce; and provided the Queen can, without fear of being diſavow'd, ſpecifie ſomewhat near the Barrier that *France* will conſent to, yield to them, and to aſſure them of the Tariff of 1664, there's no room left to doubt that the States General would come without any further Heſitation into the Negotiation, in the ſame manner as it had been concerted. But leſt all theſe Arguments ſhould have no effect, Mr. *St. John* in his Letter to Monſ. *de Torcy*, ſays, *Theſe Explications will diſſipate all Clouds, and you may believe we will make uſe thereof with great Reſerve, when I aſſure you, that if the King would offer a Plan of Specifick Preliminaries, the Queen will never communicate it to her Allies*; he concludes, *If the Sieur* Gaultier *returns with theſe marks of Confidence, you will ſee our Parliament as much inclineable to Peace as ever it was to War.*

Here the Committee obſerve the *Engliſh* Miniſtry begging of *France*, after they had been ſeven Months treating with them, that they may have ſome Intimations at leaſt of what was deſign'd for the Allies; expreſſing their fear of being diſavow'd by *France*, after they had gone theſe lengths with them; declaring the *Dutch* would come into the Queen's Meaſures if they could but know any thing near the Barrier that was deſign'd them, and have Security about their Commerce;

merce; perſiſting ſtill, without any ſuch Satisfaction in the Meaſures preſcrib'd by *France*, reſolv'd to force the Allies into general Conferences, upon looſe and uncertain Articles, and promiſing if they could but have ſo much Credit with *France* as to be truſted at all, they would uſe it with the greateſt Reſerve, and never communicate it to any of the Allies; for whoſe Satisfaction only it is pretended all this Submiſſion was made. The Return made by *France* is ſeen in a Paper call'd, *Anſwer to the Memorial brought by Monſ.* Gaultier, November *the* 18*th*, 1711. This Memorial is accompany'd with a Letter from Monſ. *de Torcy* to Mr. *St. John*, of the ſame Date, wherein he tells him *his Majeſty wholly depends upon the Secrecy and good uſe you will make of the entire Confidence he teſtifies to the Queen of* Great Britain, *and the King of* France *extols the firmneſs of the Queen, and ſees with great Pleaſure the new Marks of Reſolution ſhe ſhews.* Hereupon the Committee obſerve, in general, that nothing had at this time been demanded of *France* concerning the Diſpoſal of the *Netherlands*; and that the King of *France*, not ſatisfy'd with having ſecur'd *Spain* and the *Weſt-Indies* to his Grand-ſon, propoſes to ſtrip the Emperor of all his Dominions in *Italy*, and to impoſe upon him much worſe Terms than he afterwards procured for himſelf, when left to carry on the War alone. The *Dutch* may have the Tariff of 1664, with ſome Exceptions, if they conſent to this Scheme; if not, they are to be reduced to the Tariff of 1699 But, as extravagant as this Scheme was, it is receiv'd by the *Engliſh* Miniſters, without any Surpriſe or Reſentment; and Mr. St. *John*, in his Letter of the 25th of *November*, 1711, *thanks Monſ.* de Torcy *for the Communication of it*; *promiſes to make a diſcreet Uſe of it, and that the utmoſt Efforts ſhould be uſed by* England *to fix the Pretenſions of the Allies*; *he repreſents it as neceſſary, that all thoſe who wiſh for Peace may mutually help one another, and endeavour to finiſh the Treaty ſo ſoon, as not to be expos'd to another Campaign.* The Committee adds, that it is no Wonder, that this Plan was never communicated to the Allies, which muſt at once have broke off all the Conferences; and determin'd them rather to run all Hazards, than treat upon ſo ruinous a Foundation; but 'tis a Wonder that the *Engliſh* Miniſtry were not ſtartled when they ſaw ſuch a Scene open'd. And this ſhews with

what Juſtice the Miniſtry complain'd, that the Allies would not enter into the Queen's Meaſures, when they never were inform'd what the Queen's Meaſures were.

Purſuant to the Reſolution of the States-General upon the preſſing Inſtances of the Queen, Paſports for the *French* Plenipotentiaries are ſent to Monſieur *Buys*, and delivered to Mr. *St. John*. *Utrecht* is agreed upon here to be the Place for the general Conferences. The Biſhop of *Briſtol*, then Lord Privy-Seal, and the Earl of *Strafford*, are appointed her Majeſty's Plenipotentiaries. *December* 23d, 1711. her Majeſty's Inſtructions to her Plenipotentiaries are ſettled and ſign'd, upon which the Committee make one Obſervation, *viz. That the Plenepotentiaries are order'd, to inſiſt that the Security and reaſonable Satisfaction which the Allies expect, and which his moſt Chriſtian Majeſty has promis'd, cannot be obtain'd, if* Spain *and the* Weſt Indies *be allotted to any Branch of the Houſe of* Bourbon; ſo that hitherto the Queen thought fit to declare in all Publick Acts, that *Spain* and the *Weſt-Indies* ought by no means to be left in the Poſſeſſion of the Houſe of *Bourbon*; altho' in the *Special Preliminaries*, ſign'd by the Earl of *Dartmouth* and Mr. *St. John*, on the 27th of *September* preceding, the King of *France* did expreſly promiſe to make good the ſixth Article for himſelf, and for the King of *Spain*, purſuant to the Powers which were then in his Majeſty's Hands.

On the 15th of *January* 1711-12, the *Britiſh* Miniſters arrive at *Utrecht*; who by their general Inſtructions being order'd to concert Meaſures with the Miniſters of the Allies, and at the Beginning purſuing theſe Directions; Monſieur *de Torcy*, on the 31ſt of *January*, writes to Mr. *St. John*, and tells him, *he perceives there was not ſo perfect a Confidence eſtabliſh'd between the Plenepotentiaries of* France *and* Great Britain, *as was to be deſir'd: He believes therefore he will think it proper to ſend to the Biſhop of* Briſtol *and the Earl of* Strafford *more preciſe Inſtructions, concerning the manner, in which they were to concert their Proceedings with the King's Plenipotentiaries.* And in the Anſwer to the Memorial ſent by Monſieur *Gaultier*, *March* the 28th, 1712; it is declared, *the principal Order that the King had given to his Plenipotentiaries, when they ſet out for* Utrecht, *was to eſtabliſh a ſtrict Intimacy between them and the Miniſters of the Q. of* Gr. Britain.

On

On the 29th of *January*, at the First General Conference, Lord *Strafford* declared, that the Queen had receiv'd the General Propoſitions as a Foundation for a Negotiation of Peace: but *that they were binding to* France *only, and not to the Allies*; to which the *French* Miniſters readily aſſented. But this was meant of the Propoſitions ſign'd by Monſieur *Meſnager* only, the Congreſs not having the leaſt Notice or Cognizance of what was ſign'd, both on the Part of *France* and *England* too; which had been hitherto conceal'd, and upon all Occaſions publickly diſown'd.

On the 11th of *February* 1711-12, the *French* deliver'd a ſpecifick Explanation of the General Preliminaries, ſign'd by Monſieur *Meſnager*: Upon which it is obſerved, that the King of *France* here makes, as well as in the *Special Preliminaries*, his firſt Offers, in the Name and by Virtue of Powers from his Grandſon as King of *Spain*; how the *Britiſh* Plenipotentiaries could reconcile this to their Inſtructions, and how their Behaviour upon it is to be juſtify'd, is not very clear. This Explication was received by all the Allies with the greateſt Indignation and deepeſt Concern; which had ſuch an Effect, that Lord *Strafford* in his Letter of the 16th of *February*, 1711-12, ſays, *the* French *Miniſters are mortify'd at the general Diſcontent theſe Offers gave; and ſeem to wiſh they had put in* Tournay *for the* Dutch, *and* St. Venant *to be demoliſhed, to have ſoftned the matter at its firſt coming out.* Nor were the *Britiſh* Plenipotentiaries without their Uneaſineſſes: They had done all they could, Lord *Strafford* ſays, to perſwade the *French* to be as ample in the Explication as they could, *being that is what will have a great Effect, and ſtrike the Minds of unthinking People, and make ſome Work for Reflection for the Faction.* The Plenipotentiaries complain, they are under great Difficulties on all Hands, for both *Buys* and *Meſnager* think they come ſhort of what had been told them in *England*. But Mr. *St. John* ſoon ſends them Words of Comfort, that Mr. *Harley* will ſet out in a few Days, who is fully inſtructed in all the Queen's Views and Deſires; *That it were to be wiſh'd this Gentleman could have been ſooner ſent, but the Hurry which we have been for ſome time in is inexpreſſible; and he was too uſeful to be ſpar'd, 'till the Houſe of Commons was perfectly ſecur'd to the Queen's Intereſt, and to the Meaſures of Peace. I think I may ſay*

they are abſolutely ſo now. Hereupon the Committee take Notice of the Reflection caſt here upon that Houſe of Commons; as if they were ſecur'd to the Queen's Intereſt, and the Meaſures of Peace, by the Management of a Secretary to the Treaſury, a near Relation and a truſty Agent of the *Lord High-Treaſurer*: They add, that 'tis plain for whoſe Uſe and Service Mr. *Harley* had been employ'd at home, and was ſent abroad; ſince Mr. *St. John* gave Monſieur *de Torcy* an immediate Account of his ſucceſsful Endeavours here, and the Buſineſs he was ſent abroad to manage. Adding, *the Queen hoped, his moſt Chr. Maj. would co-operate with Her.* Mr. *Harley*'s Inſtructions do not appear, but it ſeems the Subject of them was not proper to be committed to Writing; for which Reaſon, as in almoſt all Matters relating to the Pretender, it was referred to Monſieur *Gaultier* to explain them; but what is meant by the neceſſary Diſpoſitions made among our People here at home, is explain'd by Monſieur *de Torcy*, in a Memorial dated the 28th of *March* 1712, in Anſwer to what was brought by Monſieur *Gaultier*, wherein he commends the prudent Conduct of the Court of *Britain*, in managing the Houſe of Commons, and in particular their wiſe Conduct in making known to the Houſe of Commons, that the Nation was abus'd by its Allies; and ſays, *the K. of* France *aſſures himſelf, that thoſe who now manage with ſo much Capacity the Affairs of the Queen of* Great Britain, *know how to curb the Paſſion of the turbulent Party in the other Houſe.*

The Allies at *Utrecht* met together on the 4th of *March*, *N. S.* to communicate their reſpective Demands, and agreed that a Clauſe ſhould be inſerted therein, for a *juſt* and *reaſonable Satisfaction* for all the reſt. Count *Zinzendorff* further inſiſted, that the Reſtitution of the whole *Spaniſh* Monarchy ſhould be expreſly mention'd. The *Dutch* declare they were reſolv'd to make good all their Treaties, made on occaſion of this War. But our Plenipotentiaries were the only Miniſters that did not make any mention at all of *Spain* and the *Indies*; They were *ſenſible of the diſadvantagious Conſequences of their ſilence, they were deſirous to take off this Odium, by ſeeming to ſay ſomething, and in reality to ſay nothing*; *which they did by a general Declaration concerning the juſt and reaſonable Satisfaction for the Queen's Allies, in Conformity to her Al-*

Alliances; and humbly hop'd what was ſaid would not be found contrary to what had hitherto been declar'd.

On *Mar.* 5, the ſpecifick Demands of the Allies were delivered to the *Fren.* Plenipo's in Writing; they promiſe to explain themſelves further upon them at the next Conference, which was to be the 9th; and then deſir'd a further Time to the 30th. On the 30th the *Fren.* Plenipo's declare they were ready to proceed in the Negotiation, by debating with the ſeveral Allies; but would give no Anſwer in Writing: Which was a great Surprize to all but the *Brit.* Miniſters, whom the *French* had beforehand adviſ'd with. The Allies ſtill reſolv'd to preſs the *French* to anſwer in Writing, and ſollicite the *Brit.* Miniſters to join with them in it; who, that no Mark of Diſagreement might appear (as Their Lps expreſs themſelves in their Diſpatch of *Apr.* 1, 1712) did finally conſent to an Inſtance that was to be made the next Day to require an Anſwer in Writing.

But Ld. *Str-d* had before given Mr. *St. J-n* an Account of his Opinion, in his Letter of *Mar.* 25. wherein he ſays, *He believed the* French *had taken the wiſeſt Party not to anſwer in Writing, tho' moſt of the Miniſters of the Allies will be ſurpriz'd, expecting they ſhould.* And ſays further, *I believe it is beſt they ſhall firſt begin in the open Congreſs to reaſon upon ſome of the Allies Demands, which will occaſion ſo much Difficulty, that the Miniſters of the Allies will propoſe debating ſeparately; which had better come from them than any one elſe.* The *French* Miniſters ſtill perſiſt in their Refuſal, upon which the States came to a Reſolution at the *Hague*, not to treat unleſs an Anſwer was given in Writing.

However the *French* continue obſtinate. Lord *Strafford* ſends an Account that a Reſolution was taken at the *Hague to carry things to an Extremity.*; upon which Occaſion Mr. *St. John* expreſſes himſelf in this manner, *April* 5, 1712, *That he hopes the Reſolution taken at the* Hague, was the laſt convulſive Pang of an expiring Faction. And yet this *Reſolution* was no more than to inſiſt on a Demand, in which all the Allies were unanimous, and in which the *Britiſh* Plenipo's had concurr'd. But this Proceeding is accounted for in Ld. *S-d's* Letter of *Apr.* 27, 1712, wherein he ſays the Penſionary was extremely deſirous the *Fr.* would anſwer in Writing, which ('tis His Lp's Opinion) they will evade till they ſee what Succeſs

ceſs *Gaultier* has had at *London*; and in his Letter of the 30th, *The* Fr. *will avoid giving their Anſwer in Writing, till they ſee all agreed betwixt their Court and ours.*

And to ſhew that the *Fr.* were very well ſatisfy'd with the Method their Buſineſs was in, the Plenipo's in their Letter of *Apr.* 15, 1712, ſay, *They do not find the* Fr. *are much convinc'd of the Neceſſity of Diſpatch, and when any thing is let fall of breaking off the Conferences, they ſeem to take it with a great Air of Indifference, well knowing their Buſineſs was not to be done at* Utrecht, *but by a Negotiation carry'd on directly betwixt* London *and* Verſailles.

The Beginning of *Apr.* Mr. *Harley* and Monſ. *Gaultier* arrive at *Utrecht*; and a few Days after, the *Fr.* Plenipo's communicate to the *Britiſh* Miniſters a Plan for a Gen. Peace; but under the higheſt Obligation of Secrecy, to diſcover nothing to the reſt of the Allies.

Our Plenipo's accept this Plan as a Mark of the great Confidence *France* had in them; readily engage that the Allies ſhould not know a Word of it; and under the ſame Caution ſent it to the Secretary: Tho' there is no Room to doubt, but this Plan that was tranſmitted to *England* as a great Diſcovery, was concerted here, and ſent by Mr. *Harley* to *Utrecht*, and by Abbot *Gaultier* to *France*.

To ſhew how candidly we dealt with the Q's good Friends and Allies, as Her Maj. was pleas'd to ſtyle them, the 15 *per Cent.* upon all the Goods and Manufactures of *G. Br.* which was offer'd at firſt as one of the chief Bribes to *England* to come into this *deſtructive Peace*, Monſ. *Meſnager* had now explain'd away, and confin'd to ſuch Goods as were carry'd not to *Spain*, but to the *Span. W. Ind.* only; and our Miniſters finding that *Fran.* would not make this effectual, Mr. *Harley* is order'd to let it drop. But ſee the Uſe that is to be made of this Inſincerity of the *French*; at the ſame time that Mr. *St. John* acquaints our Plenipo's with Her Majeſty's Conſent to give this up, he tells them, *But you will take care to do this in ſuch a Manner, as not only to get ſomething for it another Way, but alſo to render this Conceſſion of the Queen a Means of bringing the* Dutch *to Reaſon, and to a Compliance with Her Majeſty's Meaſures.* Ld. Pri. Seal *Ap.* 29, 1712, acquaints Mr. Secret. *Our Negotiation is at a ſtand, till the* Fr. *Miniſters are ready to return one Anſwer or other.* And

May

May 10, 1712, the Plenipo's say, *The* French *tell us they can't think of giving in their Answer to the Allies, till they hear from* England *the Success of Mons.* Gaultier; *and you may believe we wait for it with no less Impatience than they do.* Mr. *St. John, May* 3, 1712, acquaints Their Excell. *I hope in a few Days my Dispatches will become more material, and that we shall be able either to satisfy our Friends at* Utrecht, *or not have reason to be much concern'd at their Uneasiness.* This ends in Ld. *Str-d's* being sent for into *Eng-d*, and the following Orders are sent to Ld. Pri. Seal for his further Conduct; *You are to stop all Instances for procuring the Tariff of* 1664 *to the* Dutch; *you are to decline absolutely to confer any further with them upon any Matter, till you receive the Q's Plan from hence; and Her Maj. finds so ill a Return made by the States to her Condescension towards them, that she orders Your Lp. to take the First Solemn Opportunity of declaring to the* Dutch *Ministers, that all her Offers for adjusting our Differences were founded upon this express Condition, That they came immediately into the Queen's Measures, and acted openly and sincerely with her; and that she looks upon her self, from their Conduct, now to be under no Obligation whatsoever to them.* The Summary then of this whole Proceeding at *Utrecht*, in one short View, appears to be this; A Congress for General Conferences was necessary to be open'd, that the Allies might in Appearance, agreeable to the Grand Alliance, have the Opportunity of treating and adjusting their several Pretensions. Our *Ministers* were by their Instructions to act in Concert with the Allies, but they really acted in Concert with the *French* Plenipotentiaries. The Allies giving in their specifick Demands was not to be avoided; but the *French* were to gain as much Time as they possibly could, by unnecessary Delays; and at last insisted upon such a Method of answering these Demands, as they knew the Allies could not comply with. In the mean Time the Negotiations were carrying on directly between *Eng-d* and *France*, or rather all the Conditions dictated and prescrib'd by *Fr-ce*, whilst the All-s were amus'd with a Dispute about the Method of answering, from which *Fran.* wou'd not, and they could not possibly depart; in which *Eng-d* agreed with the rest of the All-s. All Particulars that concern'd even the Interest of the All-s, were transacted betwixt the Ministers of *Eng d* and *Fran.* under the highest Obligations of Secrecy. The *Dutch* are press'd to come into the Q's Measures, without being acquainted

quainted what the Q's Meaſures were: And becauſe they wou'd not conſent to they knew not what; as ſoon as 'twas reſolv'd to ſend Orders to the D. of *O.* not to engage in either Siege or Battel, and the great Projects were ready to be executed on the other Side of the Water; the Q. declares *ſhe looks upon her ſelf now from their Conduct, to be under no Obligation whatſoever to the* Stat. Gen. And thus the Alliance betwixt *Gr. Br.* and her principal Ally, is declared to be diſſolv'd and cancell'd, before any thing was finally agreed and concluded betwixt us and *Fran.* or we had the leaſt Security for our own Trade and Commerce, or any other Advantages that were to accrue to *Great Britain.*

During theſe Negotiations at *Utrecht*, the two great Points of the Renunciation of the *Span.* Monarchy, and of the Ceſſation of Arms, had been upon the Anvil. The Firſt Mention of the Renunciation is in a Memorial dated *March* 28, 1712, intituled *The Anſwer to the Memorial brought by Monſ.* Gaultier *the* 23*d of* Mar. 1711-12. Which is ſuppreſs'd: But from the Anſwer that was given to it, it appears, that as the general Propoſal that the Crowns of *France* and *Spain* ſhould never be united, aroſe firſt from *England*, and was made an Article in the *private Propoſitions* ſent over by Mr. *Prior*; ſo from that Time to this, the Method of preventing that Union does not appear to have been once mention'd. The Senſe of *France* and *Spain* upon that important Article was not known, nor ſo much as ask'd; altho' in every Step *France* had given plain Indications, that the Crown of *Spain* was to remain to K. *Phil.* and the Committee is ſurpriz'd to find the Miniſtry had gone ſuch Lengths in promoting the Meaſures of *France*, without taking the leaſt Precaution, or having any Satisfaction concerning the Monarchy of *Spain*; wherein the Intereſt of *Gr. Br.* was, by their own Confeſſion, more immediately concern'd, than in all their other Articles of the Peace put together. But that it is plain that in this Memorial ſent from *Engl.* the Scheme for preventing this Union was firſt propos'd by *Engl.* and that the Expedient was a *Renunciation:* And as this a Matter of ſuch Importance as deſerves the greateſt Attention, the Committee obſerve, that Monſr. *de Torcy* declares in the Strongeſt Terms, *That the Renunciation deſired would be null and invalid, by the fundamental Laws of* Fran. *by which the moſt Near Prince to the Crown is of Neceſſity*

Neceſſity the Heir thereto; 'tis an Inheritance that he receives neither from the K. his Predeceſſor, nor from the People, but from the Benefit of the Law. He ſucceeds not as Heir, but as the Maſter of the Kingdom, the Seignory whereof belongs unto him, not by Choice, but by Right of Birth only. That this Law is look'd upon, as the Work of Him Who hath eſtabliſhed all Monarchies, and they are perſuaded in Fran. *that God only can aboliſh it. No Renunciation therefore can deſtroy it; and if the K. of* Sp. *ſhould renounce for the Sake of Peace, and in Obedience to the K. his Grandfather, they would deceive themſelves that receiv'd it as a ſufficient Expedient to prevent the Miſchief we propoſe to avoid.* Then he gives an Account of the Diſpoſition made of the Succeſſion to the Crown of *Spain* by K. *Phil.* and regiſter'd in the Councils of *Spain*; which he propoſes may be confirm'd by the preſent Treaty of Peace, and ratify'd by the *Cortes* or States of the Kingdom of *Spain*. Mr. *St. John* in his Anſwer, *Mar.* 23, 1711-12, *O. S.* rejects this Propoſal, and not at all convinc'd by what Monſr. *de Torcy* had ſo ſtrongly urg'd concerning the Nullity of the *Renunciation*, inſiſts ſtill upon it. *We are ready*, ſays he, *to believe you* are perſuaded in *Fran.* that God *alone* can aboliſh *that Law, upon which your Right of Succeſſion is founded; but you will give us leave to be* perſuaded in *Gr. Br. that a Prince may depart from his Right by a voluntary Ceſſion; and that he in Favour of whom that* Renunciation *is made, may be juſtly ſupported in his Pretenſions, by the Powers that become Guarantees of the Treaty. In ſhort, Sir, the Q. commands me to tell you that this Article is of ſo great Conſequence, as well for her ſelf as for the reſt of* Europe; *for this preſent Age as for Poſterity; that ſhe will never agree to continue the Negotiations of Peace, unleſs the Expedient ſhe has propos'd be accepted, or ſome other equally ſolid.*

Monſ. *de Torcy* in anſwer to this Letter, *Apr.* 8, *N. S.* begins to think it cannot be impoſſible to find an *Expedient* to ſettle this great Affair; and he propoſes that when the K. of *Spain* ſhall become either Immediate Succeſſor, or Preſumptive Heir to the Crown of *Fran.* he ſhall then declare the Choice he intends to make; either to maintain his Right to the Cr. of *Fran.* or keep that of *Spain*; that K. *Phil.* ſhall become Party to the Treaty, wherein the Succeſſion to the Two Crowns ſhall be likewiſe ſettled, and that all the Powers of *Europe* ſhall enter into an Engagement with *France* to maintain it. Mr. *St. John*, *Apr.* 6. *O. S.* reaſons againſt this laſt Propoſal, and the ſeveral Projects contain'd in Mon. *de Torcy*'s laſt Letter; inſiſts that no *Expedient* can effectually ſecure *Europe* from the Dangers wherewith it is threaten'd by the Union of the Two Monarchies, unleſs the Prince, who is at preſent in Poſſeſſion of *Spain*, makes his Choice at this very Inſtant; and upon a Suppoſition that the Cr. of *Spain* would be his Choice, that this Declaration ſhould be made during the Congreſs at *Utrecht*. *Ap.* 26, *N. S.* Monſ. *de Torcy* agrees that the *Cath. K.* muſt calm the Un-

eaſineſs of *Europe*, in declaring from the preſent Time what Part he will take, if ever the Succeſſion of *Fran.* is open in his Favour. That the Inconveniences ariſing from hence, muſt ſubmit to the Publick Good. That the K. *diſpatches a Courier to* Sp-n, *and writes to the K. his Grandſon, to let him know the Neceſſity of reſolving on the Choice he ſhall make; and to declare it, to the End it may be inſerted in the Treaty of the General Peace, and be made a Condition of it, whereof all* Europe *ſhall be Guarantee.* And promiſes to uſe all poſſible Means, even Force, if it were neceſſary, to make the K. of *Spain* agree to it. He hopes this Propoſition will remove all Difficulties; and as they muſt expect new Obſtructions from thoſe who would willingly break the Conferences, he believes the beſt Way would be, for the Q. of *Gr. Br.* to propoſe immediately a Suſpenſion of Arms.

Apr. 29. *O. S.* Mr. *St. John* anſwers this Letter, and treats this Propoſal as liable to all the Objections of the former. *This*, ſays he, *would be to loſe the Fruit of all the Blood which the Allies had ſpilt in the Courſe of this War; this would be to betray the Common Cauſe of* Europe, *and to expoſe both the preſent Age and Poſterity to Greater Dangers than 'tis poſſible to imagine.* In ſhort, he inſiſts that *they muſt take care that the Time ſhall never be, when the ſame Prince ſhall have the Cr. of* Spain *upon his Head, and the Succeſſion to the Crown of* Fran. *open to him.* He at laſt propoſes, *If the K. of* Spain *prefers the Expectation of the Cr. of* Fran. *to the preſent Poſſeſſion of* Spain; *in ſuch Caſe he ſhall withdraw forthwith his Family out of* Spain, *the Poſſeſſion of which, and the* Indies, *ſhould be given to the D. of* Sav. *that K.* Phil. *ſhould have the Kdom of* Sicily, *and the hereditary Dominions of the D. of* Sav. *together with the* Montferrat *and* Mantua; *all which Dominions he ſhould remain poſſeſs'd of, tho' he became K. of* France; *excepting* Sicily, *which in that Caſe ſhould return to the H. of* Auſtria.

May 18. *N. S.* Monſ. *de Torcy* ſtill yielding and complying with the Meaſures of *Engd*, ſhews the great Hardſhip the K. of *Spain* muſt undergo, in ſacrificing his own and the Intereſt of his Family; however the K. of *Fran.* would ſend to him to know his Mind upon the Two Alternatives: And in the mean time promiſes that the Treaty of Peace ſhall be made, upon the Foundation of one of theſe two Propoſitions; either that the K. of *Spn.* ſhall renounce his Right to the Cr. of *Fran.* and keep *Spn.* and the *Ind.* or *if* he *prefers* his *Expectation* upon *Fran.* he ſhall quit *Spn.* and the *Ind.* to the D. of *Sav.* in Exchange for the preſent Dominions of the D. of *Sav. &c.* as propos'd by Mr. *St. John.*

And here the Committee obſerve, that this Correſpondence between the Two Secretaries for preventing the Union of the Two Kingdoms, carry'd on from about the middle of *Mar.* to the 18th of *May* 1712, ended at laſt, juſt as it began; and K. *Philip* choſe

choſe to make the Renunciation. The *French* Miniſter giving us ſuch early Notice, and telling us ſo very plainly, that what we ask'd was utterly inſufficient, and would be for ever deem'd by the unalterable Laws of *France* null and void, is very remarkable. His Dexterity in managing that Part of the Negotiation, in ſeeming always to comply, and deſirous to come as near as poſſible to the Propoſals made from hence, and ſubmitting at laſt, ſince we would have it ſo, to the Renunciation ſo peremptorily inſiſted on, is no leſs obſervable. But it is unaccountable how the *Engliſh* Miniſtry, when they were expreſly told thoſe would deceive themſelves, who ſhould accept of a Renunciation as a ſufficient Expedient to prevent the Re-union of the Two Monarchies; when they laid it down themſelves as a Principle never to be departed from, that the Union of the Two Monarchies would be the greateſt Miſchief that could poſſibly happen to all *Europe*, and to *Gr. Britain* in particular; ſhould ſtill perſevere in relying upon this Expedient of a Renunciation. And it cannot be forgot, that no Care was taken to render effectual the two only Expedients, that were ever propos'd for adding any Degree of real Security to the Renunciation: Which were, to have it ſolemnly accepted by the States of *France*, and to have it confirm'd by a General Guaranty of all the Powers of *Europe* engag'd in the preſent War. The firſt was ask'd indeed; but upon the Refuſal of *France* was entirely given up by our Miniſtry: The ſecond, by our Method of Negotiating, and our Treatment of the Allies, was from that very Time rendred Impracticable; as the *French* could not but foreſee. It muſt be remembred, that a few Days after this Anſwer of Monſ. *de Torcy* was receiv'd, Mr. *St. John* ſent Orders to the *Britiſh* Plenipotentiaries to declare to the States General, The Queen was now under no further Obligations whatſoever to them, who with the reſt of the Allies were to be Gaurantees of this Treaty.

The Committee mention here a Paſſage in a Letter from the Lds. Plenipotentiaries to Mr. *St. John*, *February* the 26th 1711-12. *N. S.* who acquaint him, that in ſome Diſcourſe with the Ml. *D' Uxelles* upon occaſion of the Death of the *Daupbin*, they deſir'd to know of him, what thoſe Meaſures are which *France* offer'd to take in Order to prevent the Union of the Two Kingdoms; and whether they were to conſiſt in *real* or *verbal* Securities; the *French* Miniſter pretended to know no other but of the latter Sort. And then they ſuggeſt to Mr. *St. John*, that an Obligation upon K. *Philip* to renounce the *Regency* as well as the Crown of *France*, for himſelf and his Poſterity, would amount to ſome Degree of *real Security*. But no Endeavours were uſed to obtain this, nor any mention made of it, as far as appears.

Mr. *St. John*, as Secretary of State, tranſacted this Affair with Monſ. *de Torcy*; but as it can't eaſily be ſuppos'd, that he did this without the Advice and Approbation of the *Ld. Treaſurer*, as firſt Miniſter; ſo it appears, that at the ſame time a Correſpondence was held betwixt the *Ld. Treaſurer* and Monſ. *de Torcy*.

Monſ. *de Torcy*'s Letter of the 18th of *May, N. S.* was receiv'd by Mr. *St. John* the 9th of *May, O. S.* and the Promiſe of the K. of *France*, to oblige his Grandſon to accept the Alternative of the two Kingdoms had ſo good and ſudden an Effect, that the Day following, without waiting the Return of the Courier from *Madrid*, to know whether K. *Philip* did conſent or not to the Propoſal; *Orders are ſent to the D. of* Ormond *by* Mr. St. John *to avoid engaging in any Siege, or hazarding a Battle till further Order. And he is directed to diſguiſe the Receipt of this Order. Her Majeſty thinks he cannot want Pretences for conducting himſelf ſo as to anſwer her Ends, without owning that, which at preſent might have an ill Effect, if it were publickly known.* On the ſame Day that theſe Orders are ſent to the Queen's General with Directions to diſguiſe them, which was to conceal them from the Confederates, they are communicated to the Queen's Enemies. *Abbot* Gaultier *will give you an Account, ſays* Mr. St. John *to Monſ.* de Torcy, *of the Orders I have juſt now diſpatch'd to the D. of* Ormonde." What Mr. *St. John* himſelf thought of the Importance of this Order is to be learn'd from his Letter to Mr. *Prior*, *September* the 19th 1712. *The moment I read the Queen a Letter from Monſ.* de Torcy, *by which it appear'd that the K. of* France *would oblige his Grandſon to accept of the Alternative of quitting one of the two Monarchies, her Orders were diſpatch'd to the Duke to engage in neither Siege or Battel: And ſhe prevented the* French *from even making the Demand. I will not ſay that this Order ſav'd their Army from being beat, but I think, in my Conſcience, that it did.*

On the 24th of *May* 1712, Mr. *St. John* writes again to Monſ. *de Torcy*, altho' they had yet receiv'd no anſwer from *Madrid* concerning the Renunciation, but being preſs'd in time, and finding it neceſſary for the Queen to make the Communication to Parliament, that ſhe had promis'd, of the Terms on which a Peace might be made; he acquaints him with the Steps the Queen was reſolv'd to take: Provided the moſt Chr. King would render them practicable for her. And in a Memorial of the ſame date, ſpecifies the Conditions upon which her Maj. conſents to make ſuch important Steps, and deciſive Declarations to her Parliament, as theſe which follow. 1. *That ſhe had ſettled with* France *the Intereſts of* Gr. Britain. 2. *That ſhe looks upon the Intereſts of the other Powers engag'd with her in the War, as eaſie to be adjuſted; ſince the King offers to the greateſt Part of them, very near what they have demanded, and to all a juſt and reaſonable Satisfaction.*

faction. 3. *That she will set about accomodating the Affairs of her Allies; and that to prevent all the Obstructions which the Events of the Campaign might occasion to the Negotiations of Peace, she had agreed with the King to a Suspension of Arms.* The Conditions specify'd in the Memorial, are Demands relating to *North America*, to Commerce and the Suspension of Arms.

In the Article concerning Commerce, it is said, *That several Points relating to Trade requiring a longer Discussion than the present Crisis would admit, and the Queen being much more intent upon securing the General Peace, than any* particular Advantages; *demands only*, First, *That Commissaries should be nam'd on both Sides to meet at* London, *there to examine and settle the Duties and Impositions to be paid respectively in each Kingdom.* 2dly, *That no Privileges or Advantages relating to Commerce with* France, *shall Time be yielded to any foreign Nation, which shall not at the same be granted to the Subjects of her* Britannick *Majesty; as likewise, no Privilege or Advantage in relation to the Trade of* Great Britain *shall be yielded to any foreign Nation, which shall not at the same time be granted to the Subjects of* France. As to the Suspension of Arms, *Her Majesty will consent it shall be made for two Months: Provided* 1st, *That within the said Term the K. of* Spain *shall either make the Renunciation demanded, or shall yield* Spain *to the D. of* Savoy, *upon the Conditions mention'd in Mr.* St. John's *Letter of the 29th of* April, O. S. 2dly, *That the* French *Garrison shall evacuate* Dunkirk, *and the Queen's Troops be admitted, the same Day that the Suspension of Arms shall commence.* 3dly, *That in case the States General shall at the same time consent to the Suspension of Arms, it seems reasonable they should have the Liberty of putting a Garrison into* Cambray.

Upon these Conditions the Committee observe, That altho' it was daily instill'd into the Minds of the People, that the great Advantages in Trade and Commerce secur'd to *Great Britain*, were the chief Inducements to the Ministry to engage in these Measures with *France*, it is here declar'd they were more intent upon the General Peace, than any particular Advantages. And whereas it was laid down as a Principle from which the *Queen* would never depart, that the Interests of *Great Britain* should in the first Place be adjusted; and the great Advantages stipulated for these Nations, before the Conclusion of the Peace, were

were to justifie the Peace, and all the Steps that were taken to procure it; it is now Evident that no mention was made of our Trade in *Spain*; and for our Commerce in General, the settling of that was postpon'd, and all Points in Dispute betwixt *Great Britain* and *France*, were to be referred to Commissaries; which Proposition was not demanded, by *France* but voluntarily offer'd by Mr. *St. John*.

On the 8th of *June*, 1712. *N. S.* Monſ. *de Torcy* sends an Account, *That the K. of* Spain, *had chosen to keep* Spain *and the* Indies, *and to renounce for himself and his Descendants, the Right to the Crown of* France: *Which principal Obstacle to the Peace being remov'd, the K. of* France *expects that the Queen will now clear the rest of the Difficulties, which may obstruct this great Work; by making such Declarations as had been promis'd upon the Return of the Courier from* Madrid. *Adding, the King thinks the first and most urgent is, to settle a Suspension of Arms, either General, or at least between the two Armies in the* Low Countries, *which may continue till the Conclusion of the Peace.* On the 10th of *June*, *N. S.* Monſ. *de Torcy* acknowledges the Receipt of Mr. *St. John's* Letter of the 24th of *May*, *O. S.* together with the Memorial; and sends another Memorial in answer to the last Demands of the *Queen*. He takes Notice, *That the Letters from the Army mention the Design to invest* Quesnoy, *in order to besiege it; but the King cannot think that the Queen approves of such an Undertaking, much less that her Troops shall be employ'd to render it Successful: He concludes, that if a Suspension is not immediately made, we may find our selves indispensably drawn into some great Event, which he hopes the Secretary's Prudence and Care will prevent.* And altho' in the Answer to the *Queen's* Demands, nothing material that was ask'd for our Trade in *North America* is granted, the Evacuating of *Dunkirk*, and admitting an *English* Garrison is not agreed to, and the receiving a *Dutch* Garrison into *Cambray* is absolutely refus'd, which were propos'd as Conditions of the Suspension of Arms; Monſ. *de Torcy* hopes, *That this return to the Queen's Demands will occasion no new Trouble, but as the Beginning and whole Course of the Negotiation was carried on upon the* Bona Fide, *and a mutual Confidence of which they had seen the good Effects; it is necessary to banish all Distrust, and the Queen to repose an entire Confidence in his Maj. with-*

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out insisting on Demands which may serve only to create Jealousies. On the 6th of *June, O. S.* Mr. *St. John* owns the Receipt of Monsr. *de Torcy's* Two Letters, and says, altho' the K. of *France* had not answer'd the *Queen's* Demands according to Expectation, yet she would not defer going that Day to Parliament, and making all the Declarations that were necessary to render the Nation unanimously inclin'd to the Peace; that she had not, indeed, mention'd to the Parliament the *Suspension of Arms*, but had commanded him to acquaint Monsr. *de Torcy* with the Resolutions she had taken in Relation to it, and insisting upon the Renunciation as the Capital Point of the Negotiation; and for which, Her Majesty would rather depart from almost all the Points that had been agreed upon, than leave that to any Uncertainty: Upon this Foundation the *Queen* hopes, that the most *Chr.* King will not find any thing Offensive in the Demands, which she found her self oblig'd to renew, being Conditions for a Suspension of Arms between the Two Armies in the *Netherlands*; which if the King consents to, says Mr. *St. John* to Monsr. *de Torcy*, *You have only to sign and send to the D. of* Ormond, *who at the same time that he takes Possession of* Dunkirk, *will declare to the Allies, that he has Orders to act no further against* France. *He acquaints him that the Ld.* Strafford *was going back to* Utrecht, *that the Instructions he was to carry will, according to your Desire, put the Queen's Plenipotentiaries in a Condition to keep no longer those Measures to which they have been hitherto obliged to submit, but from henceforth they may* openly *join with those of* France, *and give Law to those who will not submit to just and reasonable Conditions.*

The Committee insert here an Extract of a *Notable* Letter from the E. of *Strafford* to Mr. *St. John*, of the 30th of *April*, 1712. *Thus you still see the Temper here, and the Time it will naturally take to get the* Dutch *(if they will at last settle a Plan) before it can be done. You see the Events we are exposed to by the Operations in the Field the mean time, and you have it by this time in your Power to terminate all, and even to stop the Operations of the Army for a Month, till the Negotiation is ended one way or other: There is no Pretence now it can be a Prejudice to us, should a* Cessation *be made; for the former Pretences are out of*

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Doors, of its being impoſſible for the French *to make Magazines for their Army to take the Field as ſoon as ours, and having burnt theſe Magazines at firſt affirm'd impoſſible to be made, for us by that means to be Maſters of beſieging either* Cambray *or* Arras, *and our Army's marching to* Paris *is ſtopt at leaſt for this Summer in all Appearance. The* French *are now better poſted than we are; their Army is much ſtronger. We cannot march to ſurprize them in other Parts of their Lines till we have Green Forage, which won't be up theſe Three Weeks at ſooneſt. They have all their Troops up, and we want a great Part of ours, eſpecially the* Imperialiſts, *who, 'tis ſaid, cannot join the Army in a Month yet; ſo that now the Advantage of a Ceſſation of Arms is on our Side, if they will for the ſake of a Peace conſent to it. If, upon theſe and other Conſiderations, a* Ceſſation *is thought in* England *neceſſary, the Queen muſt not propoſe it, but at the ſame time be reſolved to put it in Execution on her Side, if agreed to by the* French; *becauſe ſuch a Propoſition will be ſure to meet with Oppoſition, unleſs back'd with Reſolution, and may have the Effect of making* thoſe who delight in War *undertake with ſo much the greater Precipitation ſome deſperate Attemps.* Upon what groundleſs Allegations the E. of *Strafford* did here adviſe a Suſpenſion of Arms, is ſubmitted to the Conſideration of the Houſe.

The Articles for a Suſpenſion were ſigned by Mr. *St. John, June* 6. *O. S.* and the Anſwer was ſign'd by Monſ. *de Torcy, June* 12, 1712, *N. S.* The next Day, *June* 7, *O. S.* Mr. *St. John* writes a private Letter to Monſ. *de Torcy*, expreſſing the utmoſt Confidence in the good Faith of the moſt Chr. King; thinks it neceſſary to haſten the Peace; tells him, it will frighten the *Dutch* to be told the Queen will act no longer againſt *France*; and that if they do not haſten to make their Agreement, they will have a Burthen upon their Backs which they are not able to bear. On the ſame Day Mr. *St. John* ſends to the D. of *Ormond* Copies of theſe two laſt Letters, and of the Memorial ſent to the Marquis *de Torcy*. *You will perceive by them, my Lord,* (ſays he) *that the Queen inſiſts on the Execution of the Article relating to* Spain, *and on the Deliverey of* Dunkirk, *as Points without which ſhe will not declare for a Ceſſation of Arms in the* Netherlands; *but if*

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these Conditions are accepted, and sent sign'd by the Marq. de Torcy *to your Grace, and* Dunkirk *put into your Possession, you are publickly to own that you can act no longer against the* French. *If they* are not *consented to, you are entirely* free from Restraint, *and at Liberty to take all reasonable Measures that are in your Power for annoying the Enemy. It is probable the Ml.* Villars, *may receive the Orders which will be sent him from* Versailles *within a Day after this Letter will come to your Hands.* Your Grace will *therefore* lose no Time in acquainting him, *that you are in Expectation of hearing from his Court that which must determine your Proceedings; and that, according to the K's Resolution, you are either to look upon your selves on both Sides as freed from any Restrictive Orders, and in full Liberty of Acting against each other, or that you are openly to declare for a Cessation.*

And here the Committee *think it necessary to* go a little back, and observe what Orders and Instructions had been given to the D. of *Ormond*, and what Accounts he had sent of his Proceedings during the Time the Correspondence, relating to the Renunciation, was carrying on. On the 12th of *April* 1712, *N. S.* his Instructions are sign'd by the Queen, He *is order'd to repair first to the* Hague, *and to see the Pensionary, before he puts himself at the Head of the Troops; to express to him the Queen's Resolution of pressing the War with all possible Vigour; to assure him he is prepar'd to live in a perfect good Correspondence with all the Generals, and particularly with those of the States; to inform himself what Plan has been agreed for the Operation of the Campaign: And as soon as he arrives at the Frontier, to meet with Pr.* Eugene, *and such of the Generals as shall be in the Secret, and with them to concert the proper Measures for entring upon Action.* The Committee conceive these Instructions sign'd by Her Majesty must be the Rule of his Grace's Actions till countermanded or revok'd by *equal Authority*, there being no general Direction in them to *follow such further Orders* as he should receive from a Secretary of State. The 24th of *April, N. S.* the D. of *Ormond* gives the Secretary an Account, 'That, according to his Instructions, he 'had given the Pensionary all the Assurances of carrying 'on the War with Vigour, and acting in Confidence with 'the Allies, and more especially the *Dutch*; which were

'receiv'd with the greateſt Profeſſions of Duty and Reſpect 'to her Majeſty.' On the 30th his Grace was in Conference with the Council of State, where, 'there were great 'Expreſſions of Duty to her Majeſty. They told him there 'was no particular Reſolution taken as to the Operation of 'the Campaign, but left it to their Generals, who with their 'Deputies are to act in Concert with the Generals of the 'Allies; and that they had given Orders to their Generals 'to live in a good Correſpondence with his Grace. And yet on the 25th of *April*, *O. S.* which was before it was known *France* had agreed ſo much as to propoſe to the King of *Spain* the Alternative of the two Monarchies, which was not till the 18th of *May*, *N. S.* Mr. St. *John* begins to give the Duke of *Ormond* ſome diſtant Hint of the Scene that was afterwards to be open'd, and tells him, 'The Queen inclines to be of Opinion, that all the Troops, 'whether Subjects or Foreigners, belonging to her, ſhould 'be immediately under his Grace's Command. There may 'have been formerly Reaſons for uſing a different Method, 'but there ſeems at preſent to be ſome of a very ſtrong Na-'ture for taking this, and perhaps theſe may every Day grow 'ſtill ſtronger. Inſinuates there may be Reaſons to be 'jealous of Prince *Eugene*; and on this Occaſion his Grace 'is directed to be more cautious for ſome time of enga-'ging in an Action, unleſs in the Caſe of a very appa-'rent and conſiderable Advantage, upon Pretence of wait-'ing till the *German* Troops were all arriv'd, that they may 'have there Share, if there is to be any Action. On the 10th of *May N. S.* the Duke of *Ormond* acknowledges the Receipt of two Letters from Mr. St. *J-n* of the 16th and 22d of *April*, neither of which appear. But his G. ſays in Anſwer to the Secretary, *I am of your Opinion, that a Battle won or loſt would at this time make very great Alterations in the Treaties now on foot: But you remember that, in my Inſtructions, I am order'd to act in Conjunction with the Allies in proſecuting the War with Vigour; ſo that, ſhould there happen a fair Opportunity to attack the Enemy, I cannot refuſe it, if propos'd by the Prince and States. But I hope to have the Meſſenger before the Armies are form'd, which will be in 3 or 4 Days.* On the 12th of *May N. S.* the D. of *Ormond* expreſſes ſtill the ſame Uneaſineſs, wiſhes to hear from *England*

that

that the Peace is near concluded, but hopes, if it be delay'd, we ſhall have the good Fortune to force the *French* to comply with the Qn's Demands. But his Grace was now ſoon put out of his Pain by the Order mention'd before of *May* the 10th, *O. S. not to engage in any Siege or hazard a Battle.* On the 25th of *May*, *N. S.* The Duke of *Ormond* writes two Let- to Mr. St. *John*, a *private* and a *publick Letter.* In the firſt, which was his private Letter, and all wrote in his own Hand, *his Grace acknowledges the Receipt of his Orders, not to engage in Siege or Battle; to which he promiſes an exact Obedience, and to keep ſecret his having receiv'd any ſuch Command, and will endeavour to hinder its being ſuſpected. But Prince* Eugene *and the States having propos'd to attack the Enemy, or, if that be found too hazardous, to beſiege* Queſnoy, *his Grace fears it will be very difficult for him to diſguiſe the true Reaſon of his oppoſing all Propoſals that ſhall be made for undertaking any thing, having no Excuſe for Delays, all the Troops they expected, and the heavy Cannon, being to be here on* Saturday: *And he ſays, if he could have found Forage there, he would have made ſome Pretence to delay the March, tho' the Diſpoſitions of it were made before he received this Letter.* But on the ſame Day his Grace writes another publick Letter to Mr. St. *John*, after he had receiv'd the Letter of the 10th, as is expreſly ſaid; wherein he takes no Notice of his Orders not to engage in Siege or Battle, but ſpeaks of his *having review'd the* Engliſh Troops, *and found them in ſo good a Condition, that muſt convince all the Allies how groundleſs the Complaints are that have been made of our Backwardneſs, of which he ſays, I believe you will now hear no more.* He goes on. *If we find an Opportunity to bring the Enemy to a Battle, we ſhall not decline it.* On the 28th of *May*, the D. of *Ormond*, in his Letter to Mr. St. *John*, ſays, *Yeſterday Prince* Eugene *and the States Deputies deſir'd that I would conſent to ſend the Quarter-Maſters to view the* French *Camp which I cou'd not refuſe, without giving them ſome Suſpicion of what I am order'd to diſguiſe; but I was ſure that nothing of Action could happen, the Enemy being behind the* Schelde. *The Detachment that went with them were Forty Squadrons, and all the Grenadiers of my Army to ſupport them and make good their Retreat, ſhould the Enemy have endeavour'd for to have attack'd them. They went as far (I mean the Horſe) as* Catelet, *where the Right of the Enemy's*

Army lies, and are come back without seeing any of the French *on our Side the* Schelde. *The Distance between the Head of the* Somme *and that of the* Schelde *is not above a League and a Half, which is a Plain, and* the Enemy have not yet offer'd to throw up any Retrenchment: *May be to Morrow they will begin to work, since they have seen our Troops* reconnoitring *that Way.* Prince *Eugene* and the Deputies being to dine with his Grace the next Day, he was under Apprehensions they would press him to undertake something immediately, which it would be very hard to conceal the true Reason of his refusing, having no reasonable Excuse for it." In this Letter his Grace gives an Account of a Letter that he had receiv'd from Mareschal *Villars*, and the Answer that his Grace wrote to the Mareschal. This Correspondence, which on both Sides is insisted upon to be kept as the most absolute Secret, is founded upon a Postscript in Mr. St. *John's* Letter of *May* the 10th to the D. of *Ormond*; wherein he tells his Grace, 'Communication is given of this Order to the 'Court of *France*; so that if Mareschal *Villars* takes any 'private way Notice of it to you, your Gr. will answer ac-'cordingly.' *May* the 25th. *N. S.* Mareschal *Villars* acquaints his Grace, 'That he had the King's Orders, and the 'Queen of *England*'s Consent, to write to him as soon as he 'receiv'd the Courier; and whatever Glory is to be acquir'd 'against a General whose Valour is so well known among 'them, he desires him to be assur'd that he never receiv'd 'more agreeable News than that they were to be no longer 'Enemies.' The D. of *Ormond* in Answer acquaints him, That he had receiv'd Orders from the Q. upon the same Subject, to which he would not fail to conform himself in the most exact Manner. But his Grace proceeds further than the Direction given him by Mr. St. *John*, and says, 'The 'Motion which we are going to make is principally for the 'Subsistance of our Troops so that you need not be under 'any Apprehension at this March; at least I can answer for 'the Queen's Army which I have the Honour to Command. The Committee is at a Loss to account for this Transaction, unless his Grace had Orders not only not to act against *France*, but to give the *French* General Intelligence of all that was design'd in the Confederate Army.

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The Report being made by the Quarter Masters-General, who went with the Detachment to view the *French* Camp, and the Overture between the Sources of the *Somme* and the *Scheldt*, and they all agreeing that the Ground was as advantagious, as could be, to fall upon their Flank and Rear, it was propos'd to the D. of *Ormond*, to march without the least Delay to the Enemy, and to attack them. You may easily imagine, says his Grace in his Letter to Mr. St. *John* of *May* 29th, *The Difficulty that I was under to excuse the delaying a Matter, which, according to the Informations I had from the Quarter Masters-General, and several other General Officers that went out with the Detachment, seem'd to be so practicable; the best Excuse I could make was Lord* Strafford's *sudden Voyage to* England, *which gave me Reason to believe there must be something of Consequence transacting, which a Delay of Four or Six Days would bring to Light, and therefore I desired they would defer this Undertaking or any other, untill I should receive fresh Letters from* England. The Committee cannot better represent the favourable Opportunity that was here lost to the common Cause, and the Advantage, or rather Deliverance, that was secured to the Common Enemy, than in a Letter from the Deputies of the States to the D. of *Ormond*, *June* the 4th, *N. S.* Which is inserted at length in the Appendix; But these Representations, and the pressing Instances made by Prince *Eugene*, were entertain'd by Mr. St. *John* as *affected Alarms* and *Clamours* raised with much Industry, *yet such as gave Her Majesty no Uneasiness.* But they made some Impressions on the D. of *Ormond*; he grew sensible of the ill Blood and Dissatisfaction caused among the Allies, who *did not stick to say we were betraying them.* He sends an Account, that Prince *Eugene* and the States Deputies had resolved to besiege *Quesnoy*, which Place was that Day, *June* 8. *N. S.* 1712. invested; and though he had nothing to do in the Operation, he could not refuse furnishing some Troops in the States Pay, but had avoided giving any in the Queen's whole Pay.

On the 7th of *June*, *O. S.* Mr. St. *John* sent to the D. of *Ormond* his Letters of the 6th and 7th to Mons. *de Torcy*, and the last Articles proposed by *Great Britain* for a Suspension of Arms; and it is observed, that hitherto it was an entire Secret between the *English* and *French* Courts and their Two Generals, that neither Siege or Battle was to be engaged in by the D. of *O.* P. *Eugene*, and the whole Confederacy were as yet amused with hopes that the D. of *Ormond* might be permitted in some Degree to comply with his Instructions, and the solemn and repeated Assurances that had been given, to act in Conjunction with the rest of the Allies: But the Time was now come, when the Secretary's Care and Prudence was to deliver the *French* King from the Apprehensions under which Mons. *de Torcy* had so often declared him to be for the Events

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of this Campaign: And altho' the *Suſpenſion of Arms* was preſs'd and inſiſted upon by *France*, and was to be granted purely for the ſake and Preſervation of the *French* Army, which in all reaſon ſhould have brought them to a Compliance with the Demands ſent from *England*; yet ſo very tractable did our Miniſtry prove, that *France*'s refuſing the Conditions at firſt propoſed for granting a Suſpenſion of Arms, had no other Effect but to make us lower the Terms upon which they were to accept what could be no Advantage to *England*, but was of the higheſt Importance to *France*.

When theſe laſt Conditions were ſent to the D. of *Ormond*, with the Orders that attended them, it is to be obſerved, that Mr. St. *John* declared the Q. inſiſted on the Execution of the Article relating to *Spain*, and on the Delivery of *Dunkirk*, as Points without which ſhe would not declare for a Seſſation of Arms: So that if theſe Conditions were not abſolutely conſented to, if the Anſwer from *France*, which was to determine the D. of *Ormond*'s Meaſures, was not ſign'd by Monſ. *de Torcy*, and *Dunkirk* was not put into the Poſſeſſion of the D. of *Ormond*, his Grace was at entire Liberty to act againſt *France*; but upon theſe Conditions the D. of *Ormond* was ordered immediately to declare a Ceſſation of Arms. The Committee think this Order in itſelf of a very extraordinary Nature, altho' conditional; and the Miniſtry ſeem in very great Haſte to give all up into the Hands of *France*, when the Queen's General, at the Head of a Confederate Army in the Field, at that Time covering a Siege, which the Allies were engaged in, ſhould be ordered to govern himſelf according to ſuch Significations as ſhould come from the Court of *France*, and thoſe tranſmitted him by the General commanding the Enemy's Army, whoſe Duty it was by *Force* or *Stratagem* to raiſe the Siege, or gain any Advantage he could over the Allies. On the 22d of *June*, *N. S.* an Anſwer to the Propoſals laſt ſent over was tranſmitted to Mr. St. *John*, ſigned by Monſ. *de Torcy*, with Two Alterations, one no leſs material, than whereas it was demanded that the Renunciation ſhould be ratified by the States of *France*, which had been mentioned before as one of the chief Securities to make it effectual, it is here ſubſtituted, that *it ſhall be regiſter'd in the* ſeveral Parliaments: And to the Article of *Dunkirk* is added, That all the King's Officers, both Land and Sea Officers, ſhall have Liberty to ſtay at *Dunkirk*, and to execute their ſeveral Offices. On the ſame Day, Monſ. *de Torcy* writes two Letters to Mr. St. *John*, the one a publick Letter, explaining at large the Alterations; the other a private Letter to prevail with him to conſent to theſe Alterations. And it is obſerved, that there are ſeveral Inſtances of ſuch a private Correſpondence between the two Secretaries. At the ſame time, a Copy of the Memorial and the Anſwer was ſent to the Mareſchal *Villars*, who with his Letter of the 24th of *June*, *N. S.* ſends the Copies to

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the D. of *Ormond*, and tells him the Originals were ſent to *England*; and doubts not but the Suſpenſion of Arms would immediately take Effect. But it appears by the D. of *Ormond*'s Letter to Mareſchal *Villars* of the 25th of *June*, That theſe were only Copies and not ſign'd, for his Grace wiſhes that the Marquis *de Torcy* had ſign'd them, as being more agreeable to his Grace's Inſtructions, but that he may not ſtop *ſo good a Work by Difficulties and Scruples*, he will not *inſiſt upon Formality*: He promiſes to go immediately to Prince *Eugene*, and the States Deputies, to perſwade them to abandon the Enterprize upon *Queſnoy*, and to declare, That in caſe of a Refuſal, he ſhall be oblig'd to withdraw the Qn's Army; and as ſoon as the Troops which he ſhould detach for that purpoſe had taken Poſſeſſion of *Dunkirk*, the Suſpenſion of Arms ſhall take place. On the 27th of *June*, the Duke acquaints Mr. St. *John* That he had been with Pr. *Eugene*, and the States Deputies, and had acquainted them, that the *French* King having agreed to ſeveral Articles demanded by the Q. as the Foundation of a *Ceſſation of Arms*, he could no longer cover the Siege of *Queſnoy*; but was oblig'd by his Inſtructions to march with the Qn's Troops, and thoſe in Her Majeſty's Pay, and to declare a Ceſſation of Arms as ſoon as the Town of *Dunkirk* was deliver'd up. Afeer this Conference with Pr. *Eugene*, and the States Deputies, his Grace according to his Promiſe, ſends a ſecond Letter to Mareſchal *Villars* of the ſame Date, and tells him, *He apprehends that the Generals of the Auxiliaries paid by the Queen, will not leave Prince* Eugene's *Army without particular Orders from their reſpective Maſters.* An Account of this being ſent to the Court of *France*, Monſieur *de Torcy* diſpatches an Expreſs *June* the 27th, *N. S.* and declares if the Foreign Troops in *Engliſh* Pay did not abandon Pr. *Eugene*'s Army, the Condition upon which *Dunkirk* was to be deliver'd being not perform'd, it would be unreaſonable for *England* to inſiſt that *Dunkirk* ſhould be given into their Hands; and appeals to the Title of the Memorial, that imported a Ceſſation of Arms between the two Armies in the *Netherlands*: He inſiſts, that poſitive Orders be ſent to the D. of *Ormond* to withdraw all the Troops in *Engliſh* Pay; and when theſe Orders ſhall have been punctually comply'd with, the King will perform his Promiſe of delivering *Dunkirk*. The D. of *Ormond* having

ving already declar'd absolutely to the Allies, that he could no longer cover the Siege of *Quesnoy*, remains in a State of Inaction, tho' 'tis plain *by his Orders*, he was *now free from all Restraint*, the Answer not being sign'd by Monsr. *de Torcy*, as was expresly requir'd; some material Alterations being made in the Conditions relating to *Sp-n*, which His Grace had then no Notice that the Q. had consented to; and Ml. *Villars* refusing to give him the Possession of *Dunk-k*, which were declar'd Points without which the Q. would not consent to a Cessation of Arms. That the D. of *O.* was himself of this Opinion, is evident from his own Letter to Mr. *St. John*, of *June* 29; wherein he excuses his deferring separating the Troops, and marching towards *Dunk-k*, until he had sufficient Assurance that Place would be surrender'd to him; and then His Grace says, *The contrary appears now so evidently, that I should look upon my self immediately at Liberty to act in Conjunction with the Allies; but I do not take upon me to make a Step of such Consequence without the Q's particular Orders, which I shall expect with the greatest Impatience.*

These unexpected Resolutions of the Foreigners in the Q's Pay, not to abandon their Allies, and leave them at the Mercy of the *Fren.* Army, very much disconcerted our Measures here for a short Time; but on *June* 20, O. S. Mr. *St. J-n* writes to Monsr. *de Torcy*, That the Accounts from the D. of *O.* were conformable to what he had sent, which gave the Q. a sensible Displeasure: *But as Her Maj. had taken a firm and unalterable Resolution not to yield to any Difficulties, he doubts not to succeed, and believes Monsr.* de Tor. *will be convinc'd of this Truth when he has read over this Letter: That he had just then told the Ministers of those Princes who have Troops in the Q's Pay, that unless they obey the D. of* O d's *Orders, Her Maj. will take it as a Declaration against her, and from that Time they shall not be paid: That if the* Fr. *K. will deliver* Dunk-k, *the D. of* O. *shall retire with the* Eng-sh *Troops, and all those Foreigners that will obey him, and declare the Q. will act no longer against* Fr-ce, *nor pay those that will; and will make no Difficulty to conclude a Separate Peace with* Fran. *leaving the Allies a Time wherein they may have Liberty to submit to such Conditions as shall be agreed upon betwixt the Q. and the* Most Chr. K. *See, Sir, the Peace in the K's Hands; if the D. of* O's *whole Army consents to the Suspension of Arms, our First*

Project

Project proceeds; *if they will not consent, the* Eng-sh *Troops will withdraw, and leave the Foreigners to seek for their Subsistence from the States, who, very far from being able to furnish New Expences, are not capable to support what they have already upon their Hands. In short,* Brit-n *retiring from the Theater of War, and leaving it to those that are in no condition to make head against* Fran. *the Peace may be concluded between the Two Crowns in a Few Weeks. These, Sir, are the Propositions which the Q. commands me to make, and believes the K. of* Fran. *will find his Account at least as much the last Way as the first.* He once more desires him to *send an Express to the D. of* O, *that he may know how to regulate his Conduct*; *and if he signifies to him that the K. has given Orders to the Gov. of* Dunk k *to admit the* Eng sh, *His Grace will immediately do all that he has said.* He acquaints him further, That *the Q. was resolv'd to send the E. of* Str-d *immediately to the Army.* On the same Day Mr. *St. John* sends a Copy of this Letter to the D. of *O.* and to shew his own Opinion of this extraordinary Piece in a Postscript, he says, *I need not caution Your Grace that the Inclos'd for Mr.* de Tor. *is fit to fall under the Eye of no Person whatsoever but Your Grace*: As for his Instructions at this critical Conjuncture, *they are such as Her Majesty thought deserv'd sending the E. of* Str-d *on purpose to the Army*: And His Grace is *order'd to give Ml.* Villars *an Account of the Endeavours the Q. had us'd to subdue the Obstinacy of those who refus'd to obey*, and of his Expectations to hear from him on an Express sent to *Fran.* And a second Time, according to what was said to Mr. *de Tor.* His Grace is order'd, *if he receives an Account from the Court of* Fran. *that Her Majesty's Last Proposals are agreed to, and Orders dispatch'd for the Surrender of* Dunk-k, *without any more to do, to declare the Suspension between* Gr. Br. *and* Fran. *and to keep the whole Body that shall obey his Orders entire, and to withdraw in the best manner his Circumstances will allow.* This Offer was no sooner receiv'd in *Fran.* but without the Loss of one Moment's Time accepted and consented to, as Monsr. *de Tor.* acquaints Mr. *St. John, July* 5. *N. S.* He mentions very particularly *all the Reasons and Engagements which had been so plainly and explicitely propos'd*; *and upon Condition that the Q. does immediately make a Separate Peace, keep no Measures with her Allies, but only leave them a Time to submit to the Conditions that shall be agreed upon*

for them between Fran. *and* Eng-d; *the K. of* Fran. *hath determin'd to ſend his Orders to permit the* Eng-ſh *Troops to enter into* Dunk-k; *and at the ſame Time a Courier was diſpatch'd to Ml.* Villars *to carry him theſe Orders.* And as a general Ceſſation from all Hoſtilities both by Land and Sea, between the Two Nations, had been propos'd by *Eng-d* till their Treaties could be finiſh'd, the K. of *Fr.* with the ſame Readineſs conſents to that. Hereupon freſh Orders are ſent to the D. of *O.* as ſoon as he ſhall hear that the Gov. had receiv'd Orders to evacuate *Dunk-k*, and to admit the Q's Troops into the Place; without loſing a Moment, if he had not already done it, to declare a Suſpenſion of Arms, and to withdraw all the *Engſh* Troops, and ſuch others as would obey his Orders: And leſt any Accident might ſtill obſtruct this Project, His Grace by Mr. *St. John* is told, He muſt obſerve that the *Order is poſitive*, and that no Caſe can poſſibly happen in which Her Maj will allow that any other Meaſure ſhould be taken; and Mr. *St. J n* is much concern'd that the E. of *Str-d* will arrive at the Army later than was to be wiſh'd, from whom His Grace was to receive thoſe Lights and Informations for his Guidance in this nice Conjuncture, that he is amply inſtructed to give him.

July 12. *N. S.* Ld. *Str-d* arrives in the Camp; the 14th P. *Eug.* ſends the D. of *O.* Word by an *Aid de Camp*, that he intended to march the next Morning with a Deſign, as was ſuppos'd, to attack *Landrecy*. The Du. of *Or.* is much ſurpriz'd at the Meſſage; refuſes to *march with him, or give him any Aſſiſtance from the Q's Troops; but lets the P. know, that when he march'd, His Grace ſhould be oblig'd to take the beſt Care he could for the Security of the Qu's Troops, and to change his Camp in Order to it.* The ſame Day Ml. *Villars* giving the D. of *O.* an Account, that he had ſent by Col. *Lloyd* Orders for the Delivery of *Dunkirk*, ſays, 'Permit me, Sir, to have 'the Honour to tell you, tho' it be very advantageous not to 'be obliged to engage the Braveſt and Boldeſt of our Enemies, 'yet 'tis very important to know thoſe that remain ſo; and I 'take the Liberty to deſire you will do me the Honour to 'ſend me Word what Troops and what Generals will obey 'your Orders; becauſe the Firſt Attempt the Enemy makes, '*I will not loſe one Moment to meet them:* The K. gives me a 'Liberty to fight, which nothing but the Negotiations has hi-

'therto

'therto prevented, and which the Army under my Com-
'mand has a great Deſire to make uſe of. I think the Work
'is finiſh'd if the Army which is under your Orders obeys
'them. This then, Sir, is no Indiſcreet Curioſity, that I
'preſume to deſire you to give me ſome Lights upon the
'Doubts which I am in. I ſhall be very much oblig'd to you
'Sir, if by the Return of this Trumpet you'll honour me
'with one Word of Anſwer, upon the Lights which I have
'deſired of you. You'll give me Leave to join to this Pac-
'quet a Letter for My Ld. *Str d.* *July* 15, the D. of *O.* in
Anſwer to this Letter ſays, 'I ſhould be glad I were at pre-
'ſent in a Capacity to give you all the Inſight you deſire, but
'it is yet impoſſible for me. Notwithſtanding I was unwil-
'ling to delay ſending back the Trumpet, to let you know I
'am well aſſured I ſhall be capable of telling you to morrow
'particularly, what Troops will remain under my Com-
'mand. As to the Suſpenſion of Arms you already know,
'Sir, that according to my Orders I cannot declare it in
'Form, till I am aſſur'd the Gov. of *Dunk-k* ſhall have exe-
'cuted all the King's Orders for the Evacuation of the Place.
His Grace adds, 'In the mean Time you will agree with me
'Sir, that the ſaid Suſpenſion has already its Effect on my
'Side, ſince I have juſt now inform'd P. *Eugene* and the Stat.
'Deputies, that in caſe they ſhould undertake any New Ope-
'ration, I could not give them any Aſſiſtance with the Qu's
'Army. On the 16th the D. of *O.* writes again to Ml. *Vil.*
and ſays, *Your Trumpet juſt now put into my Hands the Ho-
nour of your Letter of the* 15*th, and I am now to acquit my ſelf
of the Promiſe I made you yeſterday.* *P.* Eug. *is march'd this
Morning, and all the Foreign Troops have quitted us except one
Batallion and Four Squadrons of* Holſtein, *and Two Squadrons
of* Walef. He adds, *Things having paſſed as I have the Ho-
nour to tell you, I thought my ſelf oblig'd to acquaint you of it as
ſoon as poſſible; and as I obſerved to you yeſterday, the Suſpen-
ſion of Arms has already its Effect on my part, by the Separation
I have made of the Q's Troops, and all her Artillery, from thoſe
of P.* Eug. *and by my declaring to him, I could give him no Aſ-
ſiſtance, and that the Payment of the Foreign Troops is ſtopp'd,
and that by Conſequence there is fallen upon the Emperor and*
Holland *a Burthen they will not be long able to ſupport. I truſt,
Sir, to your good Faith, and ſhall to morrow make a Movement to*

put my self into another Situation, and I hope I shall have News from Dunk. *that will authorize me to declare the Suspension of Arms.* The same Day Ml. *Vill.* acquaints the D. of *O.* that the Gov. of *Dunk.* was making the Necessary Preparations to evacuate that Place: He tells His Grace, *For my part, Sir, as I already reckon you for our Ally, I am not at all in haste to have you further off, you are at your own Liberty to come near us, and encamp on the K's Territories, where-ever you shall think proper.* Upon this the D. of *O.* the Day after order'd a *Cessation of Arms* to be proclaim'd by Sound of Trumpet.

The Committee very judiciously observe, That had the First Design taken effect, which was depended upon by *Fran.* and so far presum'd by *Eng-d* as to be undertaken for, that all the Foreigners in the Q's Pay, that compos'd the D. of *O's* Army, should separate and withdraw from the rest of the Allies, it is notorious, that from that Instant P. *Eugene's* whole Army, unless they submitted to the same Measures, had been left at the Mercy of the *Fren.* Army, to be cut in Pieces, or made Prisoners, at the Will of Ml. *Villars*; which had left the Q's Troops in no better a Condition than to have the Privilege of being last destroy'd; yet all the Allies, whose Honour and Conscience would not permit them to abandon their Confederates, and leave them as a Sacrifice to *France*, were punish'd by *Eng-d* with the *Loss of their Pay and Subsidies*, which was all that was in the Power of the Ministry to do, to shew their Resentment at this great Disappointment to the Measures of *Fran.* However, this March of P. *Eug.* Ld. *Str-d* thought might be turn'd upon them, and he prevail'd with the D. of *O.* in a Message to P. *Eug.* to say, *His marching without Concert with us, and all the Q's Auxiliaries marching from us, expos'd us so, that we have been oblig'd to send to the* French *to declare with us a Cessation of Arms*; *nothing less could put the Q's Troops in Safety*; *for tho'* Matters fell out so pat, without this we must have declar'd for the *Cessation*, yet why should we not turn all this Matter upon them? The Committee had not thought it worth their while to take notice of such an *idle Attempt* to impose upon the Senses of Mankind, if they had not been induc'd by another Passage in the same Letter to think it deserv'd some Observation; where Ld. *Str-d* giving an Account of what pass'd upon the Separation says, 'All the *Eng-sh* seem rejoyc'd to

'march

'march off, being weary of the Situation they were in, and 'the Reproaches they met with in the great Army; There 'are Two or Three Faces very sour, they sigh and wish 'the *Hanoverians* had not separated from us; but I shall 'tell them perhaps it may be better. He may see by this 'Time the wrong Advice he has follow'd, since all must lay 'the Blame of the Separation upon him.' But this is not the only Instance of the Scorn and Contempt which his Ldship was ready to express upon the like Occasions; for *July* the 16th, 1712, giving an Account of a Conversation with Mr. *Bulow*, the Elector of *Hanover*'s General, wherein his Ldship. declar'd, *That the Queen had yet neither made Peace nor Truce*, which Declaration was made near a Month after the Articles for a Suspension of Arms were sign'd, and his Ldship representing the great Dangers the Queen's Troops were expos'd to by being left alone in their Camp when Prince *Eugene* march'd, and Mr. *Bulow* replying, in case of any Attack they had been sure of their Assistance and Protection, his Ldship says, *My Answer was in a disdainful Way, it would be a very odd thing when an Elector of the Empire should be a sufficient Protection to* Gr. Britain; and *Dec.* the 14th, 1712, Ld. *Strafford* in his Leter to Mr. *St. John* says, *Count* Zinzendorf *own'd, it was impossible to carry on the War alone, especially since the Elector of* Hanover, *who was the greatest Hero for the War, has threatned the States to recal his Troops, if they did not pay him the Queen's Share of the Subsidies;*---- *In short, Count* Zinzendorf *himself could not but laugh at the ridiculous way of proceeding of that Court.*

The Armies being now separated, and the Suspension of Arms declar'd, the Committee recapitulate in what manner, and by what Steps, this fatal *Cessation* was procur'd. They observe, in the First Place, That it is evident, it was of infinite Advantage and absolutely Necessary to the Affairs of *France*, and therefore insisted on by *France*; and that it is as certain, that the *English* Ministry gave early into it, if they were not the first Advisers of it; for which no other Account need be requir'd, but that *as all their Measures tended to advance the Interest of the Queen's Enemies*, they could not fail to be zealous in a Point which contributed more to those Views than any one Occurrence during the whole Negotiation; but as *they all along wanted Appearances*,

Appearances, and *conſulted them more* than *any real Advantages to the Kingdom*, they thought it neceſſary to annex ſome *Conditions to this important Article, that might paſs upon the deluded People as a Juſtification of this unprecedented Treachery.* The Demolition of *Dunkirk* was always ſo popular a Point, that nothing could ſtrike the Imaginations of the People more, than to be told that this important Place was deliver'd into the Q---n's Poſſeſſion: This Step they thought, well improv'd, would recommend the *Peace* it ſelf, at leaſt juſtifie the *Ceſſation.* And as the Nation had Nothing more at Heart, than the Diſpoſition of the *Spaniſh* Monarchy after the Renunciation had been induſtriouſly cry'd up, and the Queen had declar'd from the Throne, that *France* and *Spain* were thereby *more effectually divided than ever:* Theſe Two Articles were made the eſſential Conditions of granting a *Ceſſation of Arms.* For the latter, *France* eaſily conſented to it, having declar'd it to be null and void by the fundamental Laws of *France*: For the firſt, 'tis evident how unwillingly *France* was brought to ſurrender *Dunkirk*; but this the Miniſtry were reſolv'd to purchaſe at any Rate, as what would moſt *eaſily amuſe*, and *ſenſibly affect the Nation*; and therefore to obtain this, they engage not only to *grant a Ceſſation of Arms*, but to conclude a *Separate Peace.* The Proſpect of concluding a *Separate Peace*, and the obtaining an immediate Ceſſation of Arms, *which anſwer'd all the Purpoſes of* France *almoſt as well as a Separate Peace*, by leaving the whole Confederacy at their Mercy, were ſo great Temptations to *France*, that the Surrender of *Dunkirk* is agreed to; but if we conſider what *England* gain'd by granting this fatal Ceſſation, we ſhall find the *Demolition of* Dunkirk *ſupply'd by a New Canal more beneficial to* France, *and formidable to the Navigation of* Great Britain, *than* Dunkirk *ever was*; and for the *Renunciation, we were told by* France, *we ſhould deceive our ſelves if we accepted it as an Expedient to prevent the Union of the Two Monarchies.*

The Committee cloſe their Obſervations upon this memorable Campaign of 1712, with inſerting another Letter that was wrote by the D. of *Ormond* to my Ld. *Bolingbroke.* The *Dutch* it ſeems, encourag'd by the Succeſs of their Enterpriſe upon Fort *Knacque*, had form'd a Deſign for ſurprizing

prizing *Newport* of *Furnes*, which his Grace having Intelligence of, thought proper to write the following Letter *Oct.* the 21ſt, 1712, to my Ld *Bolingbroke*. 'I take this Opportunity 'to acquaint your Ldſhip with an Affair which has been 'communicated to me by a Perſon very well enclin'd to her 'Majeſty's Service; your Ldſhip will beſt judge of the Importance of it, and the Uſe that is to be made of it, when 'I tell you, that the Succeſs of the Enterprize upon *Knocque* 'has encourag'd the forming a Projeſt for ſurprizing *Newport* or *Furnes*, and that the fortifying *Dixmude* is made 'uſe of as a Pretence for drawing together a Body of 'Troops ſufficient to put the Deſign in Execution. If it 'be thought more for her Majeſty's Service to prevent it, 'I am humbly of Opinion ſome Means ſhould be *found to 'give Advice of it to Ml-* Villars, *who may poſſible think we 'owe him that good Office, in Requital of ſome Informations 'your Ldſhip knows he has given me, with a Deſign to ſerve 'her Maj. and the Nation:* I am not yet at Liberty to acquaint your Ldſhip with the Name of my Author, who deſires the whole Matter may be manag'd with the greateſt 'Secrecy.

The Ceſſation was no ſooner declar'd, and *Dunkirk* deliver'd up, but Mr. *de Torcy* calls upon Mr. *St. John* to perform his Promiſe of concluding a Peace between *France* and *Gr. Britain* in a few Weeks, which, he thinks, can meet with no Difficulties, all the Conditions of Peace with *England* being regulated, and the Intentions of the King touching the General Peace known to, and approv'd by, her *Britan.* Maj. Mr. *de Torcy* then propoſes the Method of regulating the Suſpenſion by Sea, and inſiſts, that during the Suſpenſion, either General or Particular, the Tranſportation of neither Troops, Ammunition, nor Proviſions, ſhall be allow'd into *Portugal*, *Catalonia*, or any other Place where the War continues. Pacquet-Boats between *Dover* and *Calais* are to be immediately ſettled for the general Eaſe of Correſpondence, and the Suſpenſion of Arms to be publiſh'd in *Portugal* and *Catalonia*, without waiting till it ſhall be ſettled at *Utrecht*. All theſe Propoſals from *France* are very readily aſſented to, and Mr. *St. John* thinks the Queen in a Condition not to loſe a Moment's Time in concluding with the Miniſters of *France* the

the Convention for a general Suſpenſion of Arms, both by Sea and Land, and even the Treaty of Peace between *Gr. Britain* and *France*. Mr. *St. John* then opens to him the Meaſures that had been here concerted for the D. of *Savoy*; 'Of all the *Allies*, ſays he, *there is none whoſe Intereſt the Queen has ſo much at Heart as the D. of* Savoy's: He 'hopes the moſt *Chr.* King will act in Concert with her 'Maj. and omit Nothing that may engage his R. Highneſs 'to come into all our Meaſures, and that may protect him 'from the Inſults of the Imperialiſts for ſo doing; and a-'mong other Advantages propos'd for him, he lays it down 'as a Principle, that it is neither for the Intereſt of *Gr. Britain* nor *France*, that the Kingdom of *Sicily* ſhould be 'given to the Houſe of *Auſtria*, and therefore demands it 'for the D. of *Savoy*, and declares the Queen will not deſiſt 'from this Demand.' This Concern of the *Britiſh* Miniſters for the D. of *Savoy*, the Committee is at a Loſs to account for. The *French*, as appears by a Letter of the Bp. of *Briſtol* to Mr. *St. John*, of the 26th of *Apr.* 1712, had actually offer'd *Sicily* to the Emperor. The D. of *Savoy* himſelf did not reliſh this Propoſition, as appears by Ld. *Peterborow*'s Letter to Mr. *St. John* of the 24th *Sept.* 1712, in which his Ldſhip repreſents the D. of *Savoy* expreſſing, *That he was not ſo vainly impatient of the Title of King, as to loſe or hazard any real Intereſt for an empty Name, but that he thought it much more extraordinary, that a Prince beaten Ten Years together by his Enemies, ſhould remain at laſt with the Prize contended for, and which ſo often by Parliament had been declared the juſt and unavoidable Motive of the War:* Again in Lord *Peterborow*'s Letter of *Nov.* the 16th 1712, to Mr. *St. John*, he affirm'd, *That Nothing can repreſent the Uneaſineſs of Mind of the D. of* Savoy, *after theſe Offers had been made him: To calm this Uneaſineſs, and to fix his R. Highneſs in the Meaſures of the Miniſtry,* it was neceſſary the Ld. *Peterborow* ſhould in a Memorial given to him repreſent, *That his R. Highneſs in refuſing theſe Offers muſt fall out with the Queen, and the* Engliſh *Miniſters, whom his Ldſhip endeavours to excuſe from the Reproaches caſt directly upon them, as if they were Perſons devoted to* France. *That for the Support of what was propos'd, a ſufficient Fleet ſhould be furniſh'd either by* England, *or* France, *or by both*

both Powers jointly, and that his R. High. ſhould be guarantee'd and protected againſt any Power that ſhould oppoſe this Project, or ſhould inſult him for having accepted theſe Offers. The Arguments of the *Engliſh* Miniſters did at length prevail with his R. Highneſs; and if the View of the ſaid Miniſters was effectually to diſable the Emperor from ſupporting himſelf againſt *France* after our Separation, by forcing into the Intereſt of *France* an Ally ſo conſiderable as the D. of *Savoy*, it muſt be confeſs'd theſe Meaſures were extremely well calculated for ſuch an End; but it does not appear to the Committee how *England* came to be ſo far concern'd in this Matter as to offer its Guarantee for *Sicily, which naturally muſt have engaged us in a War againſt the Emperor.* This Forwardneſs of the Miniſtry in offering to make *England* Guarantee for Conditions advantageous only to *France*, ſeems the more extraordinary, when they obſerve, that, during the whole Courſe of this Negotiation, they find *no* Endeavours us'd to procure *a Guarantee of our Confederates to ſecure the* Proteſtant *Succeſſion*, which had been addreſs'd for by Both Houſes of Parliament; *nor do* they obſerve, *that the K. of* Sicily, for whom ſo much was done, was ever requeſted to be *Guarantee for the ſaid Sueceſſion.*

The dreadful Conſequences of the Separation of the Armies were now ſenſibly felt in the unfortunate Action at *Denain*, where Ml *Villars* on the 24th of *July, N. S.* attack'd Ld. *Albemarle's* Camp which he forc'd, took him Priſoner, and entirely defeated all the Troops under his Command: Mr. *de Torcy* immediately ſends an Account to Mr. *St. John* of this agreeable News, and ſays, 'The K. 'of *France* is perſuaded, that the Advantage which his 'Troops have obtain'd will give the Queen ſo much the 'more Pleaſure, as it may be a new Motive to overcome 'the Obſtinacy of the Enemies to Peace.' The Committee could not with Patience read a Letter from a Miniſter of *France*, declaring to the Secretary of State of *England*, That a *Victory obtain'd by the Queen's Enemies over Her good Allies, muſt be a Pleaſure or Satisfaction to Her Majeſty.* But at this Time the *French* thought themſelves ſo ſure of the *Britiſh* Miniſtry, that they depended upon their Aſſiſtance to puſh this Advantage againſt the Confederates ſtill further; and Mr. *de Torcy* ſays, *he hopes the Queen will effectually bring*

them to Reaſon in agreeing immediately with the King, the laſt Meaſures that are to be taken for finiſhing this Work. She has the means in her own Hands, if ſhe will make uſe of Ghent *and* Bruges, *which Her Troops poſſeſs, and eſpecially of* Ghent; *for it depends upon whoſoever is Maſter of that Place, to make all the deſigns of the Enemies Generals miſcarry, and to give Law to the* Dutch. Neither was Mr. *de Torcy* ſingular in his Opinion about the Action at *Denain*; Ml. *Villars* would not loſe a Moment in giving the D. of *Or.* an Account of this News; He aſcribes the Victory to the Separation of the brave *Engliſh*, and *inſults the Allies as common Enemies*, that muſt now be ſenſible what wrong Meaſures they had taken. In this Manner, and to this Effect, Ml. *Villars* thinks proper to write to the D. of *Ormond*; and at the ſame time deſires his Grace to tranſmit this Account to the *French* Plenipotentiaries at *Utrecht*, and to make a thouſand Compliments from him to Ld. *Strafford*. And that there might be no Part of the World where it was in the Power of the *Engliſh* Miniſtry to aſſiſt their new Friends the *French*, at the Expence of their old Allies, Monſ. *de Torcy* further propoſes, That the *Queen ſhould put a Stop to Count* Staremberg*h's Projects in* Catalonia, *by ſending Orders to Her Troops in* Terragona *not to let the* Germans *into that Place; and not content with being* aided and aſſiſted all that was poſſible by Land, *he further deſires that expreſs Orders might be ſent* (and thorough *France*, as the ſhorteſt Way) *to the* Engliſh *Men of War that were then Cruiſing in the* Mediterranean, *to ſuffer the* French *Ships that were then returning from the* Levant, *to paſs unmoleſted; which was no ſooner ask'd than comply'd with.* But the taking Poſſeſſion of *Ghent* and *Brughes* was not only the deſire of Monſ. *de Torcy*, but was ſupported by the Advice of the E. of *Strafford*; who in his Letter to Mr. St. *John* of the 17th of *July* 1712. ſays, 'I am for having the D. of *O.* ſend ſome 'Party on purpoſe to march through ſome of their Towns, to 'ſee whether or no they would refuſe them Paſſage; if they 'did, that might authorize us the more to do a Thing very 'agreeable to the Queen's Troops, and what I believe you 'would approve of.' His Lordſhip adds, 'He (meaning the 'D. of *O.*) is very hearty in every thing, but really is under 'Difficulties *with thoſe about him; thoſe that are able, are not 'yet entirely to be rely'd upon, and thoſe that might be truſted,*

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'*are not capable of giving Advice.* And that there might be no doubt of his Ldſhip's Meaning in what he had before adviſ'd, *July* the 21ſt, he tells Mr. St. *John*, 'The Meaſures I 'mention'd would not be diſagreeable to you, was that of 'marching to *Ghent*, which we have now ſo well executed 'that we are within two Days March of it, and the *Engliſh* 'are entire Maſters of the Citadel, as likewiſe of all the 'Gates of the Town, and have Orders to be upon their 'Guard; not to let themſelves be ſurpriz'd by two Battalions, one of *Dutch* and one of *Walloons* in the Town, nor 'any Troops ſent from any other Place. This is a *Coup de 'Parti* for the States who did not expect it, elſe they would 'not have behaved themſelves with the *Hauteur* they lately 'did; the Thing was ſo well and ſecretly manag'd, that all 'Preparations were made to march about to *Warneton* be'tween *Liſle* and *Ipres*, to have liv'd upon the *French* Coun'try, and till we had march'd 2 Day's march on this Side the 'Scarp, the *Dutch* and their Friends did not perceive our 'Deſign, which as ſoon as they did, their *Surpriſe and Uneaſineſs were equally great.*' The D. of *O.* having given an Account of his Marching his Army towards *Ghent* and *Bruges*, Lord *Bolingbroke* commends his Conduct, and tells him *the Methods he had purſued where ſo well adapted to the preſent Conjuncture of Affairs, that they anſwer in every point what they would have wiſh'd: That the News of* Dunkirk *could not have been follow'd by any more agreeable than that of his Grace's having directed his March towards* Ghent. Moreover, on the 22d of *July*, *O. S.* his Lordſhip tells his Grace, *That taking Poſſeſſion of* Ghent *and* Bruges *had improv'd her Majeſty's Views, which he is order'd to ſecure in the beſt manner he was able, and doubts not but it will have a good Effect upon the Conduct of the Allies.*

On the 17th of *July*, *O. S.* in a Letter to Monſ. *de Torcy*, Ld. *Bolingbroke* recapitulates what he ſaid before concerning the D. of *Savoy*; and as a farther Motive to induce *France* to comply with his Demands, he repreſents *that it will be very important to have his Concurrence both in the Suſpenſion of Arms, and the Treaty of Peace, which in all probability will be made between* Britain France *and* Spain, *without the Intervention of the other Allies*; *and that* Savoy's *declaring for us will be a deciſive Stroke, and the more neceſſary, becauſe the K.*

of Prussia's *Conduct has not answer'd the Queen's Expectations*, Before this Letter was dispatch'd, the Lord *Bolingbroke* receives Monsr. *de Torcy*'s of the 26th, *N. S.* In answer to which, *July* the 18th, *O. S.* he insists further in behalf of the D. of *Savoy*, tells him with great Satisfaction, That the D. of *Or.* was possess'd of *Ghent* and *Bruges*; and as *the Q. embrac'd with a great deal of satisfaction every Opportunity that offer'd to do the King a Pleasure, positive Orders are sent to Admiral* Jennings *to suffer the* French *Ships coming from the* Levant, *to pass freely.* It is almost incredible that the *English* Ministry, however determin'd they were to give up the Honour of the Queen, and Interest of their Country, in following the Dictates of *France* should venture to do it in this open Manner. All that had been hitherto declar'd, was a Suspension of Arms in *Flanders*, and that our Troops were to act no longer against *France*: But here by the Advice of the E. of *Strafford*, at the Desire of Monsr. *de Torcy*, they are to keep Possession of *Ghent* and *Bruges* in order to disappoint the Designs of the Enemies of *France*, and the Allies of the Queen; and altho' the Suspension of Arms extended as yet no further than to the two Armies in *Flanders*, and the general Suspension by Sea and Land was not sign'd till the 19th of *August*, *N. S.* the Ld. *Bolingbroke* on the 18th of *July*, *O. S.* declares he had then sent very positive Orders to the Q's Admiral not to intercept the *French* Fleet coming from the *Levant*.

These constant Compliances in the *English* Ministry encourag'd Monsr. *de Torcy*, to press again the concluding the *Separate Peace* between *England* and *France*, as what they both agreed in to be the most effectual Way to make the rest of the Allies comply. He desires that *the Troops in* Flanders *under the Command of the D. of* Or. *may be left there to make a good Use of the Towns which he was in Possession of*; *but as the K. of* France *cou'd not consent to the D. of* Savoy's *having* Sicily *except the Elector of* Bavaria *has also the* Netherlands *besides his Electorate, he thinks the Q's having a good Army in* Flanders *under the Command of the D. of* Or. *may render this very practicable*; *and as the Qu. has done a great deal for her own ungrateful Allies, it will be for Her Glory now to contribute to the Good of a Prince of so much Merit as the Elector of* Bavaria, *whose Acknowledgments will be equal to the Benefits*

he

he ſhall receive. But this would not paſs even upon the Miniſtry of *Great Britain*: The giving *Flanders* to the Elector of *Bavaria*, was what would abſolutely engage us in a new War to oblige the *Imperialiſts* and *Dutch* to agree to it; and they could not think it for the Honour or Intereſt of the Q. to make War upon Her Allies, as ungrateful as they had been, in Favour of the Elector of *Bavaria*; and eſpecially conſidering, that altho' we could ſecure *Ghent* and *Bruges* for him, the Allies had yet an Army in *Flanders* ſo conſiderable both for the Number and Goodneſs of their Troops, that they were able to defend the Conqueſts they had made. And to give him *Sicily*, which was likewiſe demanded, Lord *Bolingbroke hopes it will not be inſiſted on, becauſe it might be the occaſion of continual Jealouſies; it might in particular be the Source of diſputes and Quarrels betwixt* England *and* France, *whoſe ſtrict Union and indiſſoluble Friendſhip were the Points in view to which all our Meaſures had been directed for ſo long a time.* The Qn's Miniſters *think when the K. of* France *has made all reaſonable Efforts for his Allies, he muſt do ſomething for the Love of Peace, and that a particular Intereſt ſhould yield to the general. You cannot,* ſays Ld. *Bolingbroke, but feel the Force of this Argument, becauſe you are not at all ignorant that this Negotiation was begun and carried on upon a Suppoſition, that the Q. muſt deſiſt from many Conditions, which in rigour She was oblig'd to procure for Her Allies.* He very ſtrongly urges the Neceſſity of concluding immediately the Peace between *England*, *France*, and *Spain*; but abſolutely inſiſts upon *Sicily* for the D. of *Savoy*. But altho' this Negotiation was carry'd on upon a Suppoſition, That *the Queen was to depart from ſeveral Things, which in juſtice ought to have been procur'd for Her Allies*, the K. of *France* thought himſelf under no ſuch Obligation; His Honour to an Ally, whoſe Fidelity was without Reproach, was not to be diſpens'd with; and therefore to ſatisfy his Engagements to ſo good an Ally, was a Point from which the King of *France* would never depart. But to ſhew the King's good Diſpoſitions to the Peace, he at laſt conſents to the D. of *Savoy*'s having *Sicily* upon certain Conditions; wherein very ample Proviſion is made for Satisfaction to the Elector of *Bavaria*; and one expreſs Condition is, *That a Peace be concluded between* England, France, Spain *and* Savoy. In anſwer to this Letter Ld. *Bolingbroke*

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acquaints Monſ. *de Torcy*, That he had receiv'd the *Queen*'s Orders to go immediately to *France*, and he hop'd under the *Auſpices* of the Abbot *Gaultier* in a Week's Time to ſalute him at *Fontainbleau*.

Whilſt theſe great Points were tranſacting, directly betwixt *France* and *England*, nothing material paſs'd at *Utrecht*; However ſome few Paſſages concerning ſuch Communications as were thought neceſſary to be made to keep up the Form of a Negotiation, are here taken notice of.

The Advice of the D. of *Ormond*'s Orders to engage in neither Siege or Battel, gave great Alarm; the States deſire the *Britiſh* Miniſters to give them ſome Satisfaction concerning a Matter wherein they thought *Religion, Liberty, and* all *that is valuable, was ſo nearly concern'd*: To which they could obtain nothing but very general Anſwers. Upon which they expreſſing their Diſcontent to be kept entirely in the Dark, without the leaſt Knowledge of what was done or intended to be done, the *Biſhop* took that Opportunity to put and End to their Curioſity by executing the Orders before-mentioned, *That the Queen thought Herſelf now under no Obligation whatſoever to the States.* This Declaration is grounded upon the Behaviour of the States; but it muſt be remembred, that this Order is dated very few Days after the Orders to the D. of *Ormond* not to engage in Siege or Battel. And in the ſame Letter the B. of *Briſtol*, giving an Account of a Conference between his Lordſhip and Mr. *Consbruck*, the Emperor's Miniſter, the Biſhop ſays, *He was very deſirous to know, and I was as unable to inform him of the Particulars wherein the Care of the Emperor's Intereſt did conſiſt.* The *Dutch* did likewiſe ſend an Expreſs to their Miniſter at *London*, with a long and moſt moving Letter to the *Queen*, to remonſtrate againſt this Proceeding, but he could obtain no Anſwer at all; 'Mr. 'St. *John* thought the *Queen* intending that Week to lay 'before the Parliament the Plan of Peace, the Proceedings 'of the Two Houſes on that Occaſion, would be a more 'ſeaſonable, as well as a more deciſive Anſwer to the 'States than any he could return.' The *Queen* having communicated to the Parliament how far the *French* are already come, in their Propoſals for ſettling a General Peace, the Bp. of *Briſtol* is directed to *diſcourſe with the Miniſters of*

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the ſeveral Allies as ſoon as poſſible, agreeable to the Plan contain'd in Her Majeſty's Speech, but before his Lordſhip makes this Step, Mr. *St. John* tells him, *It will be proper that he ſpeaks firſt with the* French *Plenipotentiaries upon this Subject, and enquire of them whether they will be willing, and in what Manner they will be willing to give this Communication to the Allies.* But the Bp. of *Briſtol* gives an Account on the 28th of *June*, N. S. *That the* French *Plenipotentiaries declared they had no ſuch Orders, and without them they could not do it:* And the Biſhop finding it might be of ſome Service, and that it was look'd upon at the *Hague* as a Step that might facilitate the Suſpenſion of Hoſtilities, his Ldſhip did again preſs the *French* Miniſters *to know, whether they were willing to declare in a ſolemn Conference, that the Particulars declar'd in the Queen's Speech are the King their Maſter's Offers to the Allies, and that he will make them good in the Negotiation.* The *French* again refus'd to make any ſuch Declaration; and in this Opinion they perſiſted even after the *Dutch* Miniſters conſented to accept the Contents of Her Majeſty's Speech *pro materiâ tractandâ*, if the *French* would at the ſame time acknowledge them to be their Maſter's Offers, and negotiate upon them in order to make them good. But the *French* Plenipotentiaries were ſo far from agreeing to this, that they demanded of our Miniſters to know the *Qn*'s Mind upon the ſeveral Parts of the laſt general Plan brought over by Mr. *Gaultier*, and which are not explain'd in Her Majeſty's Speech; ſaying, Their King expected it, and they do not know how to proceed till thoſe Points be ſtated; and the utmoſt they were to be brought to, was, *that it was not to be underſtood to exclude their Maſter from making ſome Demands for the E. of* Bavaria, *and that* Liſle *was to be reſtor'd over, and above the Two or Three Places excepted in the Queen's Speech.*

At the ſame Time that Mr. St. *John* communicated the Q's Speech to the Bp of *Briſtol*, he orders him to let the *Dutch* Miniſters know, that the Q thinks a Suſpenſion of Arms, at leaſt in the *Netherlands*, to be abſolutely neceſſary. And here the Committee obſerve, that theſe Orders to propoſe to the States a Suſpenſion, are dated *June* 11, O. S. which was the very Day the Articles for a *Suſpenſion were ſign'd* by M. *de Tor.* and had been ſign'd by L. *B-ke* 5 Days before. In ſeveral

ral Letters that follow'd from the B. of *Briſtol*, 'He gives an 'Account of the general Diſſatisfaction of all the Allies, and 'the inexpreſſible Conſternation they were all in; that they 'repreſented our Proceedings as the unavoidable Ruin of *Eu-* 'rope; *Religion, Liberty, the Faith of Treaties*, are urg'd to 'ſhew the *Enormity of our Uſage*. His Ldp. does not know 'what he may expect from the unmeaſurable Rage of the Peo- 'ple, nor where it will end: That the *Dutch* ſeem to be uneaſy, 'on no Account ſo much, as that they cannot come to the 'Knowledge of what is to be their Lot: Their Concern is 'chiefly, that they cannot know the Particulars of what is 'deſign'd for them, eſpecially what Species are to be excepted 'out of the *Tariff* of 1664, and what Towns out of the 'Barrier. On which Occaſion the B. of *Briſtol* did, as with 'the greateſt Truth, aſſure them, that he knew nothing ei- 'ther of the one, or the other. But the Reception theſe Repreſentations met, ſeems to the Committee as unaccountable as any thing that happen'd: Mr. St. *J-n, June* 20, O. S. ſays, *They are not ſurpriz'd at the Clamours and Rage of the* Dutch, *which they foreſaw and were prepar'd for: It is certain* we run great Hazards, *but it is as certain their unaccountable Folly is the Occaſion of it: He cannot imagine the Bp. ſhould be in any Danger, his Character is ſacred in a double manner; and beſides, I have Reaſon to think that* tho' they kick and flounce like wild Beaſts caught in a Toil, *yet the* Cords are too ſtrong for them to break; *they will ſoon tire with ſtruggling, and* when they are tir'd grow tame. This is the Treatment and Language which the *Q's* Secret. thinks fit to beſtow upon her Allies: Their deſiring to have ſome Satisfaction in what moſt nearly concern'd them, is call'd *Unaccountable Folly*, that had drawn all theſe Miſchiefs upon them; and if any Reſentment is ſhewn, they are *wild Beaſts*; but *the Cords of the Toils which* Eng-d *and* Fran. *had caught them in, were too ſtrong for them to break.* But L. *Str-d* is not content with hard Words only, *He is glad that Orders were given to ſtop the Pay of the Foreigners, of which they complain horribly, but it will make them* humble and ſharp; handling *does better with theſe People, than the beſt Words.*

June 24. *O. S.* Mr. *St. John* writes a long Letter to the Ld. Priv. Seal, and inſtructs him *to lay the entire Blame of all that has happen'd, upon the* Dutch *and that the Want of Concert*

is only to be imputed to those who are at the Head of Affairs in Holl. *however, that Her Maj. is still ready for their Sakes, and for the Sake of the common Interest of* Europe, *to forget all that is past, and to join with them in the strictest Terms of Amity and Confidence.* This *Farce* was still to be carry'd on in *Holl.* and these Professions made in the Name of the Q. when it is notorious that 4 Days before, *June* 20. *O. S.* Mr. *St. J-n* had in the Strongest Terms, promis'd in the Q's Name to Mr. *de Tor.* to conclude *a Separate Peace with* Fran. on Condition *Dunk.* was deliver'd to the *Engsh*; and that this Offer of *a Separate Peace* made by *Engld* arose from the *French*'s refusing to deliver *Dunk*, upon the Conditions first agreed upon, altho' at the same Time the Q's Plenipotentiaries are directed in a most publick manner *to lay the Blame of all* our Measures at the Door of the Stat. Gen. But altho' in all the Letters that pass'd between L. *B-ke* and Mr. *de Tor.* the concluding *a Separate Peace* is treated as a thing settled on Both Sides, the Plenipo's at *Utrecht* are order'd to proceed upon another Foot; and in a Letter from L. *B-ke* of *July* 16. O. S. to the Plenipo's jointly, upon a Supposition that L. *Str-d* was then got back again to *Utr-t*, they are ordered to lose no Time in settling the Conventions for a Suspension of Arms between *Gr. Brit.* and *France*, both by Sea and Land; and when that is brought to Perfection, to call upon the Allies to enter again upon the Negotiations on the Foundation of the Plan laid down in the Q's Speech; and it is desired *Their Lordships will appear sollicitous in this Matter, and affect to be the Aggressors, and to press the Allies to give in categorical Answers.* By this means the Negotiations were seemingly set on foot again; and whether the Allies did or did not comply, our Ministry were ready to make their use of it either way; if they did comply, the Scandal of a *Separate Peace* would be avoided; if they did not, the Blame was to be imputed to their Obstinacy.

The Treaty being left upon this Foot at *Utrecht*, with a possibility of being carried on or dropt, as should be found convenient, and the K. of *Fran.* having consented to the Demands made by *England* on Behalf of the D. of *Savoy*; but among others upon these two express Conditions, That a Suspension of Arms both by Sea and Land be immediately granted, and that a *Separate Peace* between *England, Fran. Spain*,

and

and *Sav.* be forthwith concluded, it was thought proper and neceſſary, that Ld. *B-ke* ſhould go himſelf to *Fran.* finally to adjuſt and ſettle the great Points in Diſpute. *The Subſtance of his Inſtructions was, to remove all Difficulties that might obſtruct the* general Suſpenſion of Arms *between* Eng-d *and* Fran. *from taking Place, or ſettling the Treaty of Peace in ſuch a Courſe, as may bring it to a happy and ſpeedy Concluſion. But to declare, that he does not imagine there will be any Poſſibility to prevail with the Q. to ſign the Peace with* France *and* Spain, *unleſs full Satisfaction be given to the D. of* Sav. *He is therefore to take particular care to ſettle his Barrier, and to procure* Sicily *for him; to ſettle the* Renunciation *in ſuch a manner, that there may be as little room left as poſſible for Diſpute or Delay; that the Elector of* Bav. *may have* Sardinia, *and be reſtor'd to his Dominions in the Empire, except the* Upper Palatinate *and the Firſt Electorate; and then he is to proceed to ſpeak to ſuch Articles as relate to the Intereſt of* Gr. Br. *and endeavour to have ſuch of them, as there may appear to be any Doubt concerning, explain'd in the moſt advantageous Manner. And then he is to do his beſt to diſcover, upon the ſeveral Parts of the general Plan of Peace, what the real* Ultimatum *of* Fran. *may be; and when the Peace between* England *and* Fran. *ſhall be ſign'd, that it may be expedient to fix the Allies a Time to come in, wherein the Q. will uſe her good Offices, but will not be under any Obligation to impoſe upon the Allies the Scheme offer'd by* Fran. *or to debar them from obtaining better Terms for themſelves.* By theſe Inſtructions it appears, that Ld. *B-ke* was impower'd to conclude a *Separate Peace* with *Eng-d, France, Spain,* and *Sav.* that at this Time there was ſome Doubt concerning ſeveral Articles relating to the particular Intereſts of *Gr. Br.* which he was to endeavour to get explain'd; but no Inſtruction, if his Endeavours prove ineffectual in Behalf of *Gr. Br.* not to conclude the Treaty, which in theſe very Inſtructions is expreſly provided for in Favour of *Sav.* And His Lp. is order'd to do his beſt to diſcover the *Ultimatum* of *Fran.* which hitherto, it ſeems, the Miniſtry were ignorant of: But whether *Fran.* condeſcended ſo far or not, as to let His Lp. into this Secret, our Treaty was to be concluded; and the Miniſtry ſeem to think, they had ſufficiently diſcharg'd their Duty in declining to be engag'd to impoſe what Terms *Fran.* ſhould think proper, upon the Allies; thoſe Allies to whom

whom the Q. was bound by the Faith of Treaties, and all the moſt ſolemn Engagements and publick Declarations, to procure all Juſt and Reaſonable Satisfaction, according to their ſeveral Alliances. But now it ſeems ſufficient that we did not *debar them* from the Liberty of endeavouring to obtain ſtill *better Terms for themſelves.* With theſe Inſtructions Ld. *B-ke* goes to *Fran.* and without entring into any further Particulars, the Convention for a general Suſpenſion of Arms between *Gr. Br.* and *Fran.* for 4 Months, was ſign'd at *Paris* by Ld. *B-ke* and Mr. *Tor. Aug.* 22. N. S. 1712, as His Lp. ſays, but dated *Aug.* 19, N. S.

Fran. was now become entire Maſter of all future Negotiations, and did not fail to make uſe of the Power that was put into their Hands; an early Inſtance of which was ſeen in the Affair of *Tournay:* But being now come back to *Utrecht*, the Committee mention an Incident that happen'd there; the Diſpute between Count *Rechteren* and Mr. *Meſnager*, which was made uſe of by the *French* to keep the Negotiations in ſuſpence as long as it ſerv'd their Purpoſe, and in which *England* concurr'd.

Aug. 30, the *Brit.* Plenipo's acquaint Ld. *B-ke*, that in ſome Diſcourſe with the Miniſters of the Allies, they had carry'd Matters ſo far as to tell them, That *tho' Her Maj. will endeavour to promote their Intereſt in a Peace, and obtain for them the beſt Terms that ſhall be poſſible, yet if thoſe Endeavours ſhould not procure more than the Contents of Her Majeſty's Speech, or even in ſome Degree fall ſhort of that Plan, the Fault will be entirely theirs, who have render'd things difficult and uncertain, which otherwiſe would have been eaſy and practicable.* And having thus far complied with their late Orders to *lay* all *the Blame upon the Allies*, they further inform His Lordſhip, *that they had, however, obtain'd the Conſent of the Miniſters of the Allies to come to a Conference with thoſe of* Fran. *in order to renew the Negotiations, the Time to be fix'd between the* Britiſh *and* Fren. *Plenipo's; who meeting to have ſome Diſcourſe previous to the general Conferences, parted without coming to any Concluſion.* The Occaſion of their Difference, that prevented renewing the Conferences, aroſe upon Propoſals made by the *Britiſh* Miniſters in relation to *Tournay.* Their Lps in their Letter of the 2d of *Sept.* N. S. to Ld. *B-ke*, ſtate the Caſe in this manner: *In Her Maj's Speech it is expreſs'd, That*

the Dutch are to have the entire Barrier as demanded in 1709, except Two or Three Places at most. The Fren. Miniſters inſiſt, that they muſt have Liſle as an Equivalent for Dunkirk, and that the ſame is not to be underſtood as one of the three Places mentioned in the Speech, and conſequently that they muſt, in all, have Four of the Places mentioned in the Demands of 1709. This to us appears to be altogether inconſiſtent with what Her Maj. has declar'd, and we accordingly think it contrary to our Duty to bring on a Conference in which ſuch an Explication is to be made. The Fren. Miniſters, on the other Hand, have ſhew'd us their Orders, which poſitively require them to inſiſt upon the Reſtitution of Tournay as well as Liſle; and that they can, by no means, conſent to the Ceſſion of Maubeuge or Condé. The Britiſh Miniſters then preſs'd the French to ſpeak at firſt in Terms as general, as their Propoſal was conceiv'd in; but the Fren. thought it neceſſary to be particular and expreſs in that Point above all others, becauſe they ſhould otherwiſe have ty'd themſelves up, and given the Dutch an Advantage. The Reſult of this Debate was not to proceed to a Conference till this Point be determin'd; the French inſiſting that their Orders were ſo plain as neither to need or admit any Explication; and the Brit. Miniſters thinking the Matter as plain on their Side. They hope their Zeal for Her Maj's Honour will be graciouſly approv'd, and deſire to be directed what further they are to do in this Matter, which they apprehend to be of a deciſive Conſequence, becauſe they find even thoſe among the Dutch, who appear to be moſt cordially diſpos'd to ſuch a Peace as may re-eſtabliſh a good Harmony between Her Majeſty and the States, as abſolutely neceſſary for their mutual Preſervation, fully reſolv'd, either to retain Tournay and have Condé yielded to them, or to take one of theſe two Courſes, either to come into any Terms that France offers, or to continue the War at all Hazards. In the ſame Letter our Plenipo's give an Account, that the *Fren.* Miniſters did inſiſt, that the Stat. Gen. ſhould in a publick manner diſavow C. Rechteren for the Affront done to Mr. *Meſnager*, and then remove him from the Congreſs: And this Satisfaction to precede any further Negotiation.

The Language which our Plenipo's had us'd to the Allies is very much approv'd by Ld. *Bolke*, who ſays *they had ſpoke the Sentiments of the Q's Heart in what they declar'd*, Auguſt 30, N. S. *and that if the All-s did fall ſhort of the Plan laid down*

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in the Queen's Speech: the Fault was entirely their own. His Ldſhip ſays, 'ſure it is, that this Plan was nothing more than 'the Ultimatum of what *France* would offer, but he wiſh'd 'that the Imperial and *Dutch* Policy had not render'd it the 'Ultimatum of what *France* will grant. The ſame general 'Reflection may be applied to the particular Caſe mentioned 'in your Ldſhip's laſt Letter. *France* would have yielded '*Tournay*, tho' much againſt the Grain. If *France* has now 'any Advantage, and refuſes flatly to yield what ſhe only 'begg'd to have reſtor'd, the Fault is entirely theirs.' But the Diſpatch of the Plenipotentiaries of the 2d of *Sept.* relating to *Tournay*, having not yet been conſider'd by the Lords of the Council, his Ldſhip could not give any poſitive Inſtructions about it till the next Opportunity: but in the mean Time recommends to them Two Conſiderations; that *the keeping of the* Dutch *in hopes of Her Majeſty's good Offices, will prevent them from taking any deſperate Reſolution; and the* French *inſiſting to have Count* Rechteren *diſavow'd before any further Treaty, will put off for ſome time the Deciſion of that great Point.*

Ld. *Strafford* in the mean Time, by his Letters of the 13th and 16th of *Sept.* N. S. 'repreſented the States as mightily 'ſunk with their Misfortunes, and not knowing well what 'Meaſures to take, but that they inſiſted upon *Tournay* as ſo 'eſſential to their Barrier, that they actually had none 'without it; and his Ldſhip is ſo much of that Opinion, that 'he wiſhes they might have *Tournay*, tho' they were forc'd 'to truck *Ipres* for it; that if he could poſitively aſſure them 'they ſhould have *Tournay*, he believed they would ſubmit 'to the Plan of the *Queen's* Speech.' This Opinion of his Ldſhip is not very eaſily to be reconcil'd to what he afterwards wrote to Mr. *Prior* upon this Subject, *Oct.* the 4th, 1712. 'If we had a Mind to have *Nick Frog* ſign with us, 'we might, for he is ready to do it for *Tournay*; which, if 'we ſign together, we can't well refuſe him, but I expect 'you will cut that Matter ſhort, and I long to hear from 'you.

The Tranſaction in relation to *Tournay*, is by the Committee ſet forth in one ſhort View: The Diſpute concerning it aroſe from the *French* Miniſters inſiſting to be very particular and expreſs in demanding the Reſtitution of this Place;

Place; which the *British* Plenipotentiaries conceiving to be inconsistent with what the *Queen* had declared, refuse to open the Conferences until they had further Orders. When this came to be consider'd in *England*, L. *Bolingbroke* says, *It occasion'd Warmth in the Cabinet-Council*; but his Ldship instead of taking Measures for preserving the Town as Part of the Barrier of the States General, which, as he confesses, *was so intended in the Queen's Speech*, proposes *Expedients whereby the Town might be restor'd to* France *without the Queen's becoming a Party to a Thing which was contradictory to what She had once advanc'd:* And gives his Advice to Mr. *de Torcy*, by what Management *Tournay* might be secur'd to the K. of *France*, contrary to the avow'd Sense of what the *Queen* had declared in Parliament; and altho' *France* had consented in a Memorial deliver'd by Ab. *Gaultier* so early as the 18th of *Nov.* 1711, not to insist upon *Tournay*; and *this he does in his private Capacity, and not as a Secretary of State.* But that his Ldship was not single in his Endeavours to assist *France* upon this Occasion, appears by the great Trouble that he says this Matter had given both him and my *Ld. Treasurer* in the Cabinet; and if any Regard is to be given to Mr. *Prior's* Paper, my *Ld. Treasurer* must certainly have written to Mr. *Prior* upon this Subject, who could otherwise have had no ground to say, *My Ld. Treasurer does not at all doubt but the Court of* France *will find a Remedy*: Which is agreeable to what Ld. *Bolingbroke* said in other Words when this Advice was sent: *The Solution of this Difficulty must come from* France. What happened afterwards in relation to *Tournay*; upon what great Concessions made to *France*, together with the advantageous Terms procur'd for the Elector of *Bavaria*, the Measures and Councils relating to this Affair were afterwards alter'd, is not material enough to require a long Detail; but nothing less than an absolute Concurrence, without any new Objection or further Demands, was to satisfie for the Cession of *Tournay*, and that it was at last obtain'd is owing solely to the Firmness and Resolution of the States.

The Dispute between Count *Rechteren* and Mr. *Mesnager* was still kept on Foot; tho' it was at last left to Her Majesty to decide upon this Difference. There being some Points relating to Commerce, and *North America*, which

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are of very great Consequence to the Interest of the *Q--n's* Subjects, and the Honour of this Treaty still to settle; *Ld.* Bolingbroke *thinks it necessary, tho' the* Dutch *may be uneasy that that Affair of the four Species to be excepted out of the* Tariff *of* 1664, *should still be kept in Uncertainty*; and the *British* Plenipotentiaries accordingly, to gain Time till they could know Her Majesty's Pleasure, *reviv'd the Difference betwen Count* Rechteren *and Mr.* Mesnager; and *hope 'tis for Her Majesty's Service in this manner to stave off the Conferences.*

The Differences that arose concerning the Treaty of Peace, and in particular about our Commerce, being finally to be determined at *Paris* by the D. of *Shrewsbury* and Mr. *Prior*, the Committee think it needless to enter into all the Orders and Instructions, Objections and Answers, that went and came to and from *Utrecht*, where there was, indeed, but little more than *the Form of a Negotiation*; and conceive that an Account of what pass'd between *London* and *France* will set this whole Matter in a clear Light. In the first Place, they take Notice here of a remarkable Passage or Two, found in Ld. *Bolingbroke's* Letters to Mr. *Prior*. On the 19th of *Sept.* O. S. Ld. *Bolingbroke* sends Mr. *Prior* an Account of some Advices they had receiv'd of the Invasion of the *Leeward-Islands* by the *French*. 'This, Dear *Mat.* says his 'Ldship, proves a very untoward *Contretemps*; it gives a 'Theme to the *Whigs*, and serves to awaken the Passions 'that were almost lull'd asleep. We expected that *Cassart's* 'Squadron might be gone to the Coast of *Brasil*, or to *Surinam*, but we never imagin'd our Colonies would have 'been attack'd by him, at the Time when we were knit-'ting the Bands of Friendship between the Two Nations 'with all possible Industry. Could this ill Opinion of our 'new Friends have entred into our Heads, I do assure you 'he should have been accompanied by a Fleet of the Queen's, 'which would have kept him in Respect: Compare this 'Conduct with that of the Queen's, *&c.*' And here follows the Passage which has been already mention'd, wherein his Ldship declar'd concerning the Order sent to the D. of *Ormond*. 'I will not say this Order sav'd their Army 'from being beat, I think in my Conscience that it did. His Ldship goes on. 'In a Word we depended so much

'upon

'upon the good Understanding, which we thought esta-
'blish'd, and were so earnest to prevent any thing which
'might break in upon it, that we not only avoided to for-
'tifie our Squadron, as we might have done, but we *also*
'*neglected* to *put in Execution* some Designs, which would
'have annoyed both *French* and *Spaniards*, perhaps more
'than any that have been effected in the Course of this
'War.

Another Instance of his Ldship's good Disposition to the *French* Nation is to be found in his Letter to Mr. *Prior* of the 29th of *Sept.* wherein he says, 'I have got at last the
'Affair of the *Griffin* compounded, not without very great
'Difficulty; and tho' the Sum paid to the Captors was so
'large as 35000 l. *the Ship was plainly Prize*, and the Pass
'sent over hither might have been prov'd to have been
'numerically one of those I deliver'd at *Fontainebleau*, 4
'Days after the *Griffin* was in Sir *Thomas Hardy*'s Power;
'tho' *Gaultier* was ready to swear that he receiv'd it some
'Months before; which part of the Abbot has, I confess to
'you, *done him no Good in my Opinion.* From whence it appears, tho' this Pass was none of them, that Passes had been granted some Months before the Suspension was concluded.

Whilst the *English* Ministry are doing these good Offices to the Subjects of *France*, and taking all Opportunities both publick and private to espouse their Interests, the Committee is surpris'd at the ill Treatment which *England* receiv'd from *France* at this Time, and at their Backwardness in making good the Promises and Engagements they were under in some Points that most nearly concern'd the Interests of *Gr. Britain.* At the latter End of *Oct.* Mr. *Prior* was sent into *England*, and by what appears left his Residence in *France*, without the Leave or any Order from the Q--n his Mistress; but was sent over by the K. of *France* as *a proper Person, whom he thought fit to entrust with the great Secret of prevailing with the Queen by her Credit to obtain what the K. demanded for the Elector of* Bavaria. He brings a Credential Letter from the K. of *France* to the Q--n, which seeming something New of the Kind is annex'd in the *Appendix.* About the middle of *Nov.* Mr. *Prior* goes back into *France* with new Instructions, wherein the Proposal of a Neutrality in

Italy

Italy is one of the chiefeſt Articles; and that he might have a perfect Knowledge of the Queen's preſent Reſolutions and Councils in relation to the preſent Treaty of Peace, a Copy of the laſt Inſtructions to the Plenipotentiaries at *Utrecht* is given him, that as Occaſion ſhould require he might act in all Things conformable to the Q n's Intentions therein expreſs'd. He carries likewiſe a Letter from the Queen to the K. of *France*, wherein, among other Things, it is ſaid, *That Mr.* Prior *continuing to behave himſelf ſo as that his Conduct may be entirely agreeable to the K. of* France, *he does but literally execute the Orders the Queen had given him, and is a Proof of his Duty and Zeal for her Service.* After this it appears that when the Treaty of Peace was ready to be concluded, the Advantages *Gr. Britain* was to expect and reap from the Endeavours of the *Britiſh* Miniſtry, to aſſiſt and ſupport the Cauſe of *France*, were in a great Meaſure unſettled and undetermined. *France* began to cavil, and as Ld. *Bolingbroke* ſaid, go back from what the King had promiſed the *Queen*. His Ldſhip cannot be perſuaded, as he tells Mr. *Prior*, 'That 'the *French* act either fairly or wiſely, they preſs us to con-'clude, that they may have others at their Mercy; and at 'the ſame Time they *chicane* with us concerning the moſt 'eſſential Article of all our Treaty, and endeavour to elude 'an Agreement made, repeated, confirmed.

The Two great Points of Moment in Diſpute, were concerning the Fiſhery at *Newfoundland*, and in what manner the Ceſſion of *Cape-Breton* was to be made; the other was about the Treaty of Commerce. As to the firſt, it is obſerv'd, That in the *Queen's* Inſtructions to the D. of *Shrewsbury*, He is directed to *propoſe, as the Queen's laſt Reſolution, that ſhe will Conſent to give and yield up to His moſt* Chr. *Maj. the entire Poſſeſſion and Propriety of the Iſland of* Cape-Breton; *but with this expreſs Condition, That his ſaid Maj. ſhall on his part, in conſideration of the ſame, relinquiſh to Her Maj. all manner of Right to Fiſhing and drying Fiſh on the Coaſt of* Newfoundland, *or any part, reſerv'd to his Subjects, by the Articles ſign'd at* London *the* 27 Sept. / 8 Oct. 1711.

Several Repreſentations were ſent backward and forward, ſhewing the fatal Conſequences of what was demanded by *France*; and altho' Ld. *Bolingbroke* in his Letter to Mr. *Prior*

of the 19th of *Jan.* 1712-13. inſiſted *that the Queen had ne ver yielded what* France *pretended to*, which then remain'd an unſurmountable Difficulty; yet in his Letter to the D. of *Shrewsbury* of the ſame Date, he tells his Grace, *if the* French *cloſe with the Overture he then made them, with regard to the Diſputes concerning Commerce, Her Majeſty is willing to accept the laſt Expedient propoſed by Monſ.* de Torcy, *for adjuſting our Differences about* North America, *and to conſent that the K g, in the Ceſſion of* Newfoundland, *do reſerve to his Subjects a Right of Fiſhing and Drying on the Coaſt of* Newfoundland, *from Point* Richt *North about, to* Cape Bonaviſta; and here no Direction is given concerning *Cape Breton*, of which the *French* got the entire Poſſeſſion and Propriety; altho', in the D. of *Shrewsbury*'s Inſtructions, it is declar'd, *That the Q-n look'd upon* Cape Breton *to belong to her; and reckon'd that* Iſland *a Part of the ancient Territority of* Nova Scotia, *which is, by this Treaty, reſtor'd to Her.* But if his Grace could not prevail upon them to agree with him in the Article of Commerce, he was to declare, That neither will the *Q.* agree with them in their Propoſition concerning *Newfoundland.* Here the Committee conſiders upon what Conſideration this valuable Privilege of taking and drying Fiſh upon the Coaſt of *Newfoundland* was yielded up to *France.* In Mr. *de Torcy*'s Anſwer to Ld. *Bolingbroke*'s Memorial of *May* the 24th 1712, it was agreed, 'That *Britain* and *France* ſhould grant to 'the Subjects of each Crown reciprocally, the ſame Privi- 'leges and Advantages which they ſhall either of them grant 'to the Subjects of any other Nation whatſoever;' upon this Foundation was eſtabliſh'd the Principle of treating, and being treated, as *Gens amiciſſima*; and purſuant to this Principle the *Tariff* of 1664, which was granted to *Holland*, excepted the Four Species, was likewiſe to be granted to us; and by the 8th and 10th Articles of the Project of the Treaty of Commerce it was ſo ſettled. But *France* pretending now, that this Tariff would be too beneficial to us, refuſed to grant it to us, until another Tariff ſhould be made in *Britain* exactly conformable to that of 1664, whereby our Duties ſhould be reduc'd as low here, as theirs are in *France* by that Tariff. This, Ld. *Bolingbroke* ſays, is 'an 'open Violation of Faith; and by this they are removing 'a Corner-Stone, which was laid early in the Foundation 'of a Building brought almoſt to Perfection; the Fall where-

'of

'of must prove at last of as fatal Consequence to them as 'to us.' He adds, 'He was strangely surpriz'd when he 'saw the Precedent of the *Ryswyck* Treaty quoted, to per- 'swade us to refer our Commerce, as the *Dutch* then did 'theirs, to Commissioners, to be treated of after signing 'the Peace, that the Behaviour of the *French* upon 'that Occasion has given us warning; and it is from thence 'we have learn'd, that whatever is referr'd, is given up; and 'they must have a mean Opinion of those whom they would 'perswade to pursue the same Method, to get the Tariff of '1664, by which the *Dutch* then lost it.' But his Ldship, had either not learnt this Lesson, or had entirely forgot it, when on the 24*th* of *May* he himself had propos'd, 'that se- 'veral Points relating to Commerce, requiring a longer Dis- 'cussion than that Crisis would admit, Commissaries should 'be appointed to settle and adjust the Differences.' But, then it seems they were more intent upon the General Peace, than any particular Advantages.

After this his Lordship proposes *to strike out of the Project of the Treaty of Commerce the* 9*th and* 10*th Articles, and instead thereof, to insert one to the Effect of that which he had drawn*; And as the Acceptance of this Amendment was to put an end to all the Differences, and gave such ample Advantages to *France*, the *French* readily agreed to it; And inserted it *verbatim* as it was sent, which makes the *Ninth* Article of the Treaty of Commerce as it now stands, and is the same that was rejected by the last Parliament; and this Article which has been since so universally and justly condemned, appears to be the Work of the *English* Ministry, and the Price for which they sold to *France* the Fishery of *Newfoundland*.

This Treatment of *France* could not but give the Ministry the greatest Uneasiness, tho' their Apprehensions, lest the Circumstances they were in should be known, far exceeded their Concern at the Disappointment *Great Britain* was like to meet with. They had sign'd a separate Treaty with *France* in *September* 1711. upon this single Principle, that the Interests of *Great Britain* were in the first place to be adjusted, and as long as they had this to say, they were unconcerned at all other Events. They had gone on for *Fifteen Months* together, and acted in every thing as the Instruments of *Fr.* and are at last in danger of being disavow'd by *France*, in

the moſt eſſential part of all their Treaty. One of the chief Inducements and principal Conditions upon which the *fatal Ceſſation* of Arms was granted, was, That no Privileges or Advantages relating to Commerce with *France* ſhall be yielded to any Foreign Nation which ſhall not at the ſame time be granted to the Subjects of Her *Britannick* Majeſty; but *France* had now reap'd the full Benefit of the Suſpenſion, and were at Liberty to diſpute the Principle of *Gens amiciſſima*. In theſe Circumſtances were the *Engliſh* Miniſtry in *January* 1712-13. and to extricate themſelves, they give up all Points in Diſpute in *North America*, and the Fiſhery of *Newfoundland*; upon the ſingle Conſideration of the *Ninth* Article of the Treaty of Commerce, which the Parliament rejected with a juſt Indignation. However, to bring *France* to a Compliance, even upon theſe Conditions, the Duke of *Shrewsbury* is inſtructed to prevail with *France* to come to this Reſolution without the Loſs of one Moment's time. The Parliament was ſuddenly to meet, and it would be neceſſary for the Q. to communicate to both Houſes the preſent State of the Negotiation. His Grace is then to repreſent to Monſ. *de Torcy*, *How ſmoothly every thing would glide along, if the Q. was at liberty to ſpeak of Her own Intereſts as abſolutely determined with* Fran. *and on the other hand, what Travels we ſhall be expos'd to, and what Confuſion may ariſe, if our Negotiation appears to be ſtill open, and if the Secret comes to be divulged, that* France *refuſes to make good in the Treaty the full Effect of former Promiſes to the Queen. That as the* French *Miniſters deſire that the Q. would precipitate the Concluſion of Her Peace, and leave all the Confederacy at their Mercy, they muſt be told, that when the mutual Intereſts of* France *and* England *are ſettled, the Plenipotentiaries of* Great Britain *ſhall publickly declare in the Congreſs that they are ready to Sign with thoſe of* France, *and ſhall call upon the Allies to quicken their Negotiations, and conclude without Loſs of Time. But if they ſeek unneceſſary Delays, or make unreaſonable Demands, Her Majeſty, who has induced them to Treat, will by the ſame Meaſures engage them to conclude, or at leaſt She will ſign without them. And that the Queen having once declared Her Intereſt to be ſettled, and Her Treaty ready to be ſign'd, the General Peace becomes from that Moment ſure; and the Remainder of the Negotiation eaſie; it is therefore wiſe for the* French *to*

comply

comply with Her Majesty. The great Distraction the Ministry was in, appears sufficiently from this long Letter of Ld. *Bolingbroke's* to the D. of *Shrewsbury*: But to be more fully satisfied what their own Apprehensions were, and what they themselves thought would be the Consequence of such Proceedings; the Committee takes Notice of two Letters, written upon this Subject, by Ld. *Bolingbroke* to Mr. *Prior*; one of *January* 19th, the other of the 22*d*, O. S. In the first his Lordship says, 'We stand indeed upon the Brink of a 'Precipice, but the *French* stand there too: Pray tell Monsr. 'de *Torcy* from me, that he may get *Robin* and *Harry* hanged; 'but Affairs will soon run back into so much Confusion, that 'he will wish Us alive again. To speak seriously, unless the 'Q. can talk of her Interests as determined with *France*; 'and unless Your Court will keep Our Allies in the Wrong, 'as they are sufficiently at this time, I foresee inextricable 'Difficulties. My Scheme is this: Let *France* satisfie the Q. 'and let the Q. immediately declare to Her Parliament, and 'in the Congress, That she is ready to sign; at the same 'time let the *French* Plenipo's show a Disposition to conclude 'with all the Allies. And then his Lordship enumerates the 'several Offers which he would have *France* make to the se-'veral Allies: which, tho' very general and insufficient, his 'Lordship says, if such Overtures as these (made to the 'Allies) were not instantly accepted, Our *Separate 'Peace* would, sitting the Parliament, be address'd for, made, 'and approved; and the Cause of *France* for once *become 'popular* in *Britain.* If they were accepted, let Monsr. *de 'Torcy* sit down and consider what a Bargain would be made 'for *France*; let him remember his Journey to the *Hague*, 'and compare the Plans of 1709, and 1712. Monsr. *de Torcy* 'has a Confidence in you: Make use of it once for all upon 'this Occasion, and convince him thoroughly, that we must 'give a different turn to our Parliament and our People, ac-'cording to their Resolution at this Crisis. The next Letter is of the same Strain: 'We are now, *says his Lordship*, 'at the true Crisis of our Disease, we Die at once, or Reco-'ver at once, let *France* depart from that shameful Expedi-'ent by which they thought to bubble us out of the Advan-'tages which they had solemnly yielded, and all is well, o-'therwise, *by God*, both they and we are undone. Pray send '*Barton* back as fast as possible; the Q. can neither delay the 'meeting of Parliament longer than the 3*d*. nor speak to the

'Houses

'Houſes till we hear from you. My Compliments to Monſ. 'de Torcy: Let him know, that if they do not agree with 'the *Q.* I may perhaps be *a Refugee*; If I am, I promiſe be-'fore hand, to behave my ſelf better in *France*, than the 'French Refugees do here. Make the *French* aſham'd of 'their *ſneaking Chicane*; by Heaven, they treat like *Pedlars*, 'or, which is worſe, like *Attorneys*.

Tho' all theſe publick Tranſactions paſs'd through the Hands of Ld. *Bolingbroke*, it appears that he was not the only Perſon in the Secret; but that a greater Influence chiefly directed and governed all theſe Councils; And that the Ld. Treaſurer, as in the great Affair of *Tournay*, was in this Tranſaction the chief Conductor, as may very reaſonably be concluded by ſeveral Letters that Mr. *Prior* wrote about this Time to my Lord Treaſurer, altho' Mr. *Prior* has not thought fit to produce one Letter from his Lordſhip to him. Mr. *Prior's* Diſpatch to the Secretary's Office, giving a full Account of the preſent State of the Treaty, with ſeveral Papers concerning Commerce and North *America*, is dated *December* the 28*th*, 1712. *N. S.* The Day after, *December* the 29*th*, *N. S.* Mr. *Prior* writes to my Ld. Treaſurer, and tells him, *I have wrote a Book inſtead of a Letter, to my Lord* Bolingbroke, *which I deſire your Lordſhip would be pleaſed to run over, that knowing what I have done here, you may Honour me with your Commands as to what I am to do.* He hopes his *Propoſal about* Newfoundland, *which he ſends his Lordſhip enclos'd, is ſuch as may terminate that Affair to our Advantage. If your Lordſhip is of the ſame Opinion, I ſhall have entire Satisfaction. January* the 8*th*, 1712-13. *N. S.* Mr. *Prior* writes again to my Ld. Treaſurer, that *he had been in Conference with the* French *Miniſters to adjuſt the Points undecided; that he had ſent Ld.* Bolingbroke *the Reſult of thoſe Conferences*, and ſays, *I hope the whole Affair of* Newfoundland *is adjuſted to your deſire; there were ſome Points inſiſted upon by our Plenipotentiaries which the Miniſters here thought very unreaſonable; and to ſay a Truth to my Ld. Treaſurer plainly, which I a little mitigate to my Lord* Bolingbroke, *I think not very reaſonable.* He then gives an Account that Monſ. *de Torcy was ſurpriz'd, that the* Dutch *had but in Part comply'd with what Lord* Strafford *declar'd to them to be Her Majeſty's Reſolutions to which he hopes the Q. will ſend ſuch an Anſwer as may cut off all Delays*; and upon this Occaſion Mr. *Prior* ſays to my Ld. Treaſurer; 'This I only write to your

Ldſhip,

'Ldſhip, it being a thing that ſhould not be canvas'd in 'Council; and I have promis'd that the King ſhould have 'Her Majeſty's Anſwer upon it, as he deſires.' *January* the 19*th*, 1712-13. *N. S.* Mr. *Prior* writes again to the Lord Treaſurer; acquaints him, 'That the Duke of *Shrewsbury* 'now ſends to Ld. *Bolingbroke* the Subſtance of their laſt 'Conferences with Monſ. *de Torcy*, upon the Subject of '*Newfoundland*; to which I take Leave to add; That your 'Friend *Torcy* is in the laſt Concern to find the Duke's In'ſtructions ſo ſtrict, in a Point which cannot be given up by '*France*, at a Time when we well hop'd that Difference 'was adjuſted. Pray, my Lord, let us have your 'diſtinct and poſitive Orders hereupon by the firſt. Duke 'of *Shrewsbury* deſires that we may have your Orders to fi'niſh. I believe *Torcy* writes himſelf to you.' *January* the 23*d*, 1712-13. *N. S.* Mr. *Prior* writes once more to the Ld. Treaſurer, and tells him, 'I have already wrote ſo 'amply to your Ldſhip, on the two great Points of *New*'*foundland*, and the Tariff of 1664, and expect ſo daily 'your laſt Orders upon thoſe two Points, that I will not 'trouble you at preſent further than to ſay, if theſe two 'are ſettled, the Peace may be determined here to Morrow, 'and ſent the next Day to *Utrecht* to be ſign'd.' 'And on 'the 2*d* of *February* 1712-13. Mr. *Prior* ſays to the Trea'ſurer; 'If I deſire you to write to me, it is becauſe I really 'think it for the Queen's Service; that in this great Poſt 'where you have put me, I may ſay, I have the *immediate* '*Commands* of my Lord Treaſurer; and in regard to that 'Friendſhip with which you have ſo publickly honour'd me, 'and which, by the By, does all the buſineſs here.' And on *February* the 4*th*, 'I ſhall direct my ſelf as you ſhall be pleas'd 'to inſtruct me privately.' If the Committee had found among the Papers delivered by Mr. *Prior*, the Ld. Treaſurer's Anſwers to theſe Letters, it would have appear'd, how far the giving up the Fiſhery of *Newfoundland*, and the accepting of the 9th Article of the Treaty of Commerce, was owing to his Lordſhip's *immediate Orders*. It ſeems, however, to be a very extraordinary Proceeding, that the Queen's Miniſters in *France*, acting *by Authority*, and *under Her Inſtructions*, ſhould apply to my Ld. Treaſurer, for his *diſtinct and poſitive Orders to releaſe them from the Queen's Inſtructi*-

'*ons*,

ons; because they are thought by the *French* Ministers *to be too strict*; and if it be a Doubt, by whose Order or Advice it was procur'd, so much is certain, that these Applications had their desired Effect; and the *Newfoundland* Fishery was given up; and the Advantages we were to receive from being treated upon the Foot of *Gens amicissima*, were all bury'd in that destructive Article, *of the 9th Article of the Treaty of Commerce.*

The Dispute raised at *Utrecht* had been so order'd, that the Ministers of the Allies could not obtain any Conferences with those of *France*, till the Points in Difference were adjusted between *England* and *France*; by which Means it was *February* 1712-13 before the *Dutch* and *French* were suffered to meet; And it being now the Business of *France* to conclude with *England* separately, the Temper the *French* Plenipotentiaries appear'd in, made all Business so impractible, that the *British* Plenipotentiaries were under a Necessity of complaining of it to Ld. *Bolingbroke*, and to acquaint him, *February* the 3*d*, 1712 13. 'The *French* appear so very uncomplying in every Point debated, and so very forward and positive in their Refusal of a great many things, which the *Dutch* took to be granted and settled, as well by Her Majesty's Speech, as the Declarations lately made by Lord *Strafford*, that the Disappointment they met with, put them in the greatest Consternation: Reason was also given us to participate in these *Discontents*, and to regard several things which appear *contrary to what Her Majesty has declar'd*, as very unfair; *yet all that could be said prevail'd not.*

The Committee is not surpriz'd, that the Instances of their Excellencies had so little effect with the *French* Plenipotentiaries, who then expected that Orders should be sent to the *British* Plenipotentiaries immediately to sign a separate Peace, which according to their Expectations, were sent *Feb.* 20. 1712 13. *by Mr.* St. John, Brother to the Ld. *Bolingbroke*, to Conclude and Sign with *France* as soon as the D. of *Shrewsbury* should send them Advice that the Propositions he was to make at the *French* Court were accepted; and on the 28*th* Ld. *Bolingbroke* with the utmost Joy acquaints their Excellencies; 'That he had received from the D. of 'Shrewsbury the expected Returns; He had therefore dis-

'patch'd

' patch'd a Courier to them, to renew those Instructions ' which he hoped were clearly enough signify'd in those Pa- ' pers which his Brother carried. He acquaints them that ' the D. of *Shrewsbury* had declar'd, that their Ldships had ' Orders, in Case the *French* comply'd, as they now actually ' have done, to sign Her Majesty's Peace with *France* with- ' out further Delay; and that Her Majesty would open the ' Parliament, by telling them, *She had made a Peace with* ' France. The latter She will Her self perform on *Tues- day*; and the former, it is Her positive Command that ' your Lordships make good as fast as the necessary Forms ' of preparing and executing the Instruments will allow. ' And his Lordship gives their Excellencies positive Or- ' ders, without any Delay to execute the Treaties of Peace ' and Commerce between *Great Britain* and *France*. On the 7th, and 20th of *March*, *O. S.* Lord *Bolingbroke* re- peats these positive Orders, and insists, that the Peace should be concluded with that Precipitation which Her Majesty would have us'd. And it is observable, that among all the Demands that were made, upon Account of any Prince or Potentate, none, at this Time, met with the least Regard; when, at the same time, the Interest of the Princess *Ursini* was espous'd in the strongest Terms: And in the same Let- ter, *March* 3. *O S.* where his Ldship, speaking of the Con- sequence of the Restoration of the Elector of *Bavaria* to his Electorate, says; ' Her Majesty does not much enter in- ' to the Notion of the Degradation of *Honover*, ' as a Matter of any Importance. ' His Lordship de- clares, ' That the Principality in some Part of the *Spanish* ' *Netherlands*, with a Revenue of 30000 Crowns demanded ' for the Princess *Ursini*, must be made to the Emperor, ' and all Parties concern'd, a Condition *sine qua non*, of ' the General Peace.

But the *Brit.* Plenipo's, who were to sign, had some Diffi- culties; and acquaint Ld. *B-ke*; *We could say a great deal to justify our cautious Proceedings with the* Fren. *and are satisfy'd, that Your Lp. would be of the same Opinion, if you were to see their Way of negotiating with all the Allies, and how hard it is for us to obtain here what to Your Lp. seems impossible the* French *should make any difficulty to grant.*

The repeated Orders to the Plenipo's prevail'd at laſt ſo far upon them, as to acquaint the Allies, *the Q. found it neceſſary to conclude her own Peace without Delay; and that Time ſhould be allow'd thoſe that* were *not ready:* But they ſtill avoided the actual Signing till the reſt of the All s, whoſe Treaties were in a Forwardneſs, were ready to ſign with them; and, to juſtify themſelves, they acquaint the D. of *Shrewsbury, that, beſides other Conſiderations, their chief Objection was, that tho' they had Orders to ſign a Particular Peace, yet their full Powers under the Great Seal, only authoriz'd them to negotiate, agree, and conclude the Conditions of a Good and General Peace, agreeable to the Intereſts of all, and each of the Allies.* And what made them more averſe, was the great Importunity with which the *French* puſh'd them to ſign ſeparately. 'We are, *ſay they*, ſurpriz'd at the Eagerneſs of the *Fren.* Miniſters to 'have us conclude alone, when ſo many of the All s are, in a 'manner, ready to join with us; nor can we enough apprehend the Conſequences at home of doing it alone.

Hereupon Ld. *Boling-ke*, who ſays, 'He has not Sagacity e-'nough to find the Objections that the Plenipo's had made to 'their Firſt Full Powers, for their Satisfaction, ſends them a New Commiſſion, and repeats to them poſitive Orders to ſign and conclude with *France* for which purpoſe 'they were to 'appoint a Day to deſire them to be ready, and at the ſame 'time to preſs ſuch as conld not be ready by that Day, to fix 'ſome other on which they will ſign. 'By this new Commiſ-'ſion, *His Lordſhip tells them*, they have a Power, as before, '*tractandi conveniendiq*; the Conditions of a Good and Ge-'neral Peace, which is no more than you are to do, when you 'are to offer, jointly with the Miniſters of *Fran.* a general 'Plan to the All s. Theſe Difficulties of the Plenipo's made the Ld. Treaſ. who never fail'd to exert himſelf when he found it abſolutely neceſſary, think it high Time to interpoſe his Authority; and accordingly, *Mar.* 31. *N. S.* he wrote to My Ld. *Str-d* in this manner: 'I muſt ſelicitate Your Ex-'cellency upon the Succeſs of all yonr Zeal, and the true 'Love you haye ſhewn to your Q. your Country, and Re-'poſe of all *Europe.* The remaining Danger is, leſt we ſhould 'ſuffer Shipwrack in the Sight of the Port. The Nation 'here are 500 to 1 for Peace. The Warriors are driven from 'their Outworks; the laſt Retrenchment they have is Delay;

'and

'and I muſt ſay, this operates much here. The Ferment be-
'gins to work, and it will be impoſſible to anſwer for the
'Turn the Houſe of Commons will take, if theſe Delays pro-
'voke them further. They all feel how many 100000 *l.* this
'needleſs Protraction coſts them. We now maintain 49000
'effective Men by Land, and 30000, within a Trifle, by
'Sea. In the mean Time, the Merchants lye off, and will
'not come into Port; the Amuſement of Stories invented by
'the Faction, and the Correſpondence and Encouragement
'that Party gives to their Friends to hold out, and to wait
'for ſome unhappy Accident that may unravel all which is
'done: Add to this, the Ill Humour which will grow in
'Members, by being kept ſo long in Town idle; and, in one
'Word, all that has been unſettled for many Days, is not
'worth one Day's Charge *Eng-d* is at extraordinarily, by this
'Delay. I find this ſeems to be the prevailing univerſal Opi-
'nion here, and that *Fran.* has acquitted her ſelf; the only
'Stop is now at *Utrecht*. But this Stop did not remain long;
and as His Ldp. never yet appeared in vain, all further Ob-
ſtructions at *Utrecht* were after this ſoon removed. *April*
1 12, 1713, the Treaties of Peace and Commerce between
Gr. Br. and *Fran.* were ſign'd between Two and Three in
the Afternoon. This Example was follow'd by ſeveral of the
Allies: And laſt of all, when it was in vain to hold out any
longer, the *Dutch* about Midnight ſign'd their Treaties of
Peace and Commerce; and the Emperor and Empire alone,
choſe rather to bear the Weight of the War, than ſubmit to
ſuch diſadvantageous and diſhonourable Terms as had been
carv'd out for them by *England* and *France*.

The Committee obſerve that the Q's Plenipo's ſuffer'd a
Clauſe to be inſerted at the End of the 15th Article of the
Peace with *Spain*, whereby they gave a Pretence to the *Sp-ds*
to claim a Right to fiſh at *Newfoundland*, contrary to the
7th and 8th Art. of the Treaty made with that Crown by Sir
Wm. Godolphin, 8-18 *Jul.* 1670, whereby it is agreed, That
the K. of *Gr. Br.* his Heirs and Succeſſors, ſhall enjoy for
ever, with plenary Right of Sovereignty, *&c.* all thoſe
Lands and Places whatſoever, being or ſcituated in the *Weſt*
Ind. or in any Part of *America* which the ſaid K. of *G. Br.*
and his Subjects, do at preſent hold and poſſeſs. And that
the Subjects and Inhabitants, Merchants of the Kingdoms, *&c.*

and Dominions of each Confederate reſpectively, ſhall forbear to ſail and trade in the Ports and Havens which have Fortifications, Magazines, or Ware-houſes, and in all other Places whatſoever, poſſeſs'd by the other Party in the *W. Ind. &c.* The Board of Trade being conſulted on the *Span-ds* claiming a Right to fiſh at *Newfoundland*, being returned the following Anſwer to Ld. *Dartm-th*, dat. *June* 13, 1712-13. *We have conſidered the Extract of a Memorial from the Marquis* de Monteleon, *relating to a Claim of the Inhabitants of* Guipuſcoa, *to fiſh on the Coaſt of* Newfoundland; *and thereupon take Leave to inform Your Lp. that we have diſcours'd with ſuch Perſons as are able to give us Information in that Matter; and we find that ſome* Sp-ds *are come hither with Paſſes from Her Maj, and others may have fiſh'd there privately; but never any, that we can learn, did do it as of Right belonging to them. By the Act to encourage the Trade to* Newfoundland, *paſs'd in the* 10*th and* 11*th Years of His Late Maj. when we were in Amity and Alliance with* Sp-n, *it is declar'd and enacted*, That no Alien or Stranger whatſoever, not reſiding within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, ſhall at any time hereafter take bait, or uſe any Sort of Trade, or Fiſhing whatſoever, in *Newfoundland*, or in any of the Iſlands adjacent: Purſuant to which Act, Inſtructions have been given every Year to the Commodores of the Convoys, to prevent Foreigners coming thither. The Committee are at a Loſs to account for the Reaſons that prevail'd with the Miniſtry to admit the Inſertion of this Article; and upon this Occaſion acquaint the Houſe, that they find very few Footſteps remaining of the whole Tranſaction, relating to Commerce with *Sp-n*. That the Management of it was entruſted with Mr. *Gillingham*, an *Iriſh Papiſt*, who was ſent thither for that Purpoſe; for which Reaſon L. *Lexington*, in his Letters to Ld. *Dartmouth*, frequently excuſes himſelf for not writing upon that Subject, Mr. *Gillingham* giving ſuch full Accounts of the Matter; notwithſtanding which, no one Letter from Mr. *Gillingham* to the *Secretaries Office* can be found; and the Committee are induc'd to believe, that this whole Tranſaction was carry'd on by another Way.

From this Paſſage it appears evident to the Committee, that a Correſpondence was carry'd on between the E. of *Oxford* and

and Mr. *Gillingham*, in relation to our Treaty of Commerce with *Spain*. But for want of the Papers which pass'd between them upon this Subject, the Committee is likewise at a Loss to find what Motives could induce the *British* Ministry to admit so essential an Alteration of the Treaty of Commerce, sign'd by the *Queen*'s Plenipotentiaries, as is made by the *Three Explanatory Articles*, as they are call'd, which are added to the said Treaty, and are, in an unprecedented Manner, inserted in the Ratification of it; notwithstanding it doth not appear, they had *ever been consented to*, much less *sign'd by* any of the *Queen*'s Plenipotentiaries. Amongst other very material Disadvantages to which these Articles subject our Merchants, the Committee is inform'd, that, by Virtue of them, *Spain* does actually at this Time demand of our Merchants Fourteen *per Cent.* on Account of *Cientos*, *Millones*, and *Alcaualas*, over and above Fifteen *per Cent.* which they exact for other Duties, which added to them, amount to Twenty Nine *per Cent.* whereas, 'tis notorious, that, during the Reign of K. *Char.* II. of *Spain*, the whole Duties exacted, and paid by our Merchants for all Goods imported to the several Ports of *Spain*, computed by an Avarage, did never exceed Ten *per Cent.* but rather fell short of it. By what Management these Articles were ratified, *and how legal and warrantable* it *was to affix the Great Seal* to Articles so pernicious in their Contents, and so irregularly offer'd, the Committee submit to the Consideration of the House.

The Committee having thus gone through the chief Transactions relating to the *Negotiations* of *Peace* and *Commerce*, proceed to offer to the House what they have found material in the Papers referr'd to them concerning the *Catalans*. In the first Place, they observe, that after several unsuccessful Attempts by the Way of *Portugal*, and the Design upon *Cadiz*, to settle K. *Char.* on the Throne of *Spain*; and that the Confederate Fleet had appear'd before *Barcelona* in 1704, without the desir'd Succels; Her Maj. in the Beginning of the Year 1705, sent Mr. *Crowe* as Her Minister to *Genoa*, with private Instructions, 'to treat 'with the *Catalans*, or any other People of *Spain*, about 'their coming into the Interest of *Char.* III. of *Spain*, and 'joining with Her Maj. and Her Allies. For that Purpose 'he is to inform himself, what Number of Forces they will

'raise,

'raiſe, and what they expect ſhall be ſent to aſſiſt them: If 'any of the Nobility inſiſt upon a Sum of Money to be 'advanc'd to them, he muſt aſſure them, he does not doubt 'but he ſhall be impower'd to remit to them whatſoever is 'neceſſary and reaſonable for their Support, as ſoon as 'they are actually in the Field: That he ſhall give the 'Catalans, or other *Spaniards*, Aſſurances of Her Majeſty's 'utmoſt Endeavours to procure the *Eſtabliſhment of all ſuch 'Rights and Immunities as* they have formerly enjoy'd un-'der the Houſe of *Auſtria*: That She has, for their fur-'ther Satisfaction, ſent to K. *Char.* III. for Powers for con-'firming the ſame to them; and that ſhe is willing if they 'inſiſt on it, to give Her *Guaranty* that it ſhall be done. Mr. *Crowe* had alſo a Commiſſion of the ſame Date with his Inſtructions, to treat with the *Catalans* upon the Terms before mentioned, upon this expreſs Condition on their Side, *That they ſhould acknowledge, and receive* K. Char. *as lawful K. of* Spain, *and utterly renounce the Houſe of* Bourbon. He had with this, credential Letters, ſign'd by the Queen, di-rected to the Nobility, Magiſtrates, and all Officers Civil and Military, of *Catalonia*, *deſiring them to depend upon the Promiſes he ſhould make them in Her Name.* The E. of *Peterborow*, and Sir *Cloudeſly Shovel*, by their Inſtructions, dated *May* 1. 1705, were likewiſe order'd *to uſe their Endeavours to induce the* Catalans *to join with them in their Undertakings, and to animate that People to proſecute their Liberty with more Vigour; to aſſure them of the Queen's Support, and to promiſe them in Her Name, that ſhe will ſecure them a Confirmation of their Rights and Priveleges from the K. of* Spain, *that they may be ſettled on a laſting Foundation to them and their Poſteritie.* But they are order'd *in Caſe the* Catalans *make no ſuitable Return to theſe kind Offers, to annoy the Towns on the Coaſt of* Spain, *and to reduce them by force.* Moreover, a Declaration was drawn here, and deliver'd by Mr. Secretary *Harley* to the E. of *Peterborow*, full of Aſſurances in the *Queen's* Name, of Support, and of their *Liberties* on the one Hand, and *Threats* on the other; which Declaration his Ldſhip, did ac-cordingly publiſh. The Succeſs of that Expedition needs not be here particularly mention'd. K. *Char.* in his Letter to the *Queen*, of *Oct.* 22. 1705, gives an Account of them, and what they were owing to, *viz.* 'The *Aſſurances of your Ma-*

jeſty's

jesty's generous Protection, upon which my Subjects in Catalonia *expose their Lives and Fortunes.* No want of Fidelity or Zeal for the Common Cause, during a long War, that abounded with extraordinary Turns of Fortune, was ever objected to these People; on the contrary, they received to the last the *Applauses* of the Allies, and *Assurances* repeated to them by every General and Minister that was sent from *Gr. Britain* to that Country, *that they should never be abandoned.* When the *Queen* enter'd into separate Measures of Peace, Ld. *Lexington* was sent Ambassador to *Spain*, at which time, considering the Circumstances of K. *Philip's* Affairs, and the Obligations he had received from the *Queen*, the *Catalan* Privileges, if plainly demanded and insisted upon, could not have been refused, and without it, could never be expected to be grantd to a People so remarkably zealous for the Common Cause. But his Ldship's Instructions, instead of directing him to insist upon this as a Condition of the *Queen's* Coming into the Peace, order him only to *represent* to the Court of *Spain*, 'That it is no less for the King's Interest, than for the *Queen's* Honour, that a general Amnesty 'without Exception be granted to all *Spaniards* who have 'adhered to the House *Austria*, and in a particular Manner to the *Catalans*, with regard to their Persons, Estates, 'Dignities and Privileges.' These Instructions, tho' very defective, were not complied with; for Ld. *Lexington*, in the 11th Article of his *Demands*, deliver'd to the Court of *Spain*, upon his Arrival there, expresses himself thus; *That the Queen prays His* Catholick *Majesty, that a general Amnesty without Exception be granted*; but leaves out the Words in his Instructions *with regard to their Persons, Estates, Dignities and Privileges.*

The King's Answer was, 'That the General Amnesty 'relating to the General Peace, was not proper for the present Treaty; and therefore he left it to be then treated 'of; that he would make use of his great *Clemency*, provided the *Queen* would contribute to the Safety, Repose, 'and Interests of so many faithful Subjects, who, had followed his righteous Cause in *Flanders*, and *Italy*; and that 'an express Article be inserted in the Peace, wherein it 'shall be declared, That all Subjects who have done their 'Duty, by adhering to His *Catholick* Majesty, shall be esta-

'blish'd

'blish'd in their Eſtates and Honours of what Nature ſoe-
'ver they be, which they enjoyed when they were under
'his Obedience;' Ld. *Lexington* tranſmits this Anſwer to *England*, which, tho' containing a direct Refuſal of what was deſired, and only *general Aſſurances* of *Clemency* from the King, on Conditions that could not poſſibly be expected to be complied with; yet his Ldſhip writes to Ld. *Dartmouth*, That the Article about the *Catalans* was agreed to; and thinks what they deſire is but Juſtice: And then goes on; *Thus, my Lord, I have finiſh'd my Negotiation in the beſt Manner I could, and hope it will be to Her Majeſty's Satisfaction.* No Diſſatisfaction was ſhewn by the Miniſtry in *England*, either with this Manner of Negotiating, or the Fruitleſneſs of it, but he is ordered to proceed in the Buſineſs, *both as it was an Act of Humanity, which every one to the utmoſt of their Power ought to promote; and that the Intereſt of the K. of* Spain *was moſt nearly concern'd by that Means to get the* Germans *out of the Country.* Hereupon another Memorial for an Amneſty is preſented, the Motive us'd to induce the King to grant it, is his own Intereſt, and to remove the *Germans*, without any Notice taken of the *Queen*'s Honour being concern'd in the Affair.

The King anſwer'd, 'That the *Catalans* had deſerved
'little from him; that they were now reduc'd to a ſmall
'Extent of Ground, by the with-drawing of the Troops
'of *Britain* and *Portugal*; that his Troops, and thoſe of the
'King his Grand-Father, was entring into their Country
'by Three ſeveral Ways; therefore more in Compliance
'to the *Queen*, than for the Arguments that had been offer'd,
'he was willing to grant his Pardon to thoſe *Catalans*, who
'acknowledging his Clemency, and repenting them of
'their Error, ſhould ſubmit to his Dominion and Vaſſalage,
'within a Time to be prefix'd.' Count *Zinzendorf*, in the Project for Evacuating *Catalonia*, inſiſted upon the preſerving the People their Privileges: But the K. of *Spain* refus'd it, and would only grant them an *Amneſty*. Ld. *Dartmouth*, in his Letter to the Marquis *de Monteleone*, and Ld. *Lexington*, ſays, *He cannot expreſs the Queen's Surprize, to hear, that the Privileges of the* Catalans *were not intended to be preſerved to them by the Court of* Spain; *that thoſe Privileges were neceſſarily included in the Meaning of a General*

Amneſty

Amneſty already granted; and this was an Affair wherein the Queen's Honour was extremely concern'd, and that ſhe was obliged by Motives of Conſcience not to depart from it. Ld. Lexington is hereupon order'd to inſiſt again upon it, in the ſtrongeſt Manner that when the K of *Spain* is convinc'd of her Majeſty's Steadineſs, and the Firmneſs of her Reſolution to adhere to this Demand, no doubt he will yield to what has been ſo ſolemnly promis'd, and is in it ſelf ſo reaſonable, That the Marquis *de Monteleone*, being reſtrain'd by his Inſtructions from treating upon this Point, the Negotiating of it muſt entirely lie upon Lord *Lexington*. Accordingly his Ldſhip preſents another Memorial for a general Amneſty, with the Confirmation of all their Privileges. 'The Amne-'ſty, *he ſays*, was granted, but the Privileges entirely refu-'ſed, and in ſuch a poſitive Stile, as he never met with, but 'in demanding a Tract of Ground about *Gibraltar*.' In another Letter, ſpeaking of the many denials he met with in *Spain*, he ſays, 'Things are not here upon the ſame Foot as 'they were before the Suſpenſion, for the King told me theſe 'Words, We know that the Peace is as neceſſary for You as 'for Us, and that You will not break it off for a Trifle.

It may ſeem unaccountable how the *Queen's* Endeavours could fail of Succeſs, when ſhe declar'd her Conſcience was concern'd in this Matter, and that, tho' She deſired a Peace, *She would not act inconſiſtently with Honour and Juſtice to obtain it*. But the Committee very judiciouſly obſerve, that the firſt fatal Step to the Ruin of the *Catalans*, was the Orders ſent Ld. *Lexington*, (contrary to his firſt Inſtructions) upon his arrival at *Madrid* to acknowledge *Philip* as King of *Spain* in a private Audience, before any one Article of Peace or Commerce was ſettled with him, which put him in a Condition of refuſing this, and whatever elſe he ſhould think fit. The manner how *Spain* gain'd this important Point appears to be as follows: Ld. *Dartmouth* had acquainted Mr. *Prior*, that Ld. *Lexington* was not to acknowledge *Philip* as King of *Spain*, till he had agreed to the Demands his Lordſhip was to make in the *Queen's* Name. However Ld. *Dartmouth* thinks it convenient the Sentiments of the *French* Court ſhould be known upon this Matter as ſoon as poſſible. This Method of Proceeding with *Spain* was very much diſlik'd in *France*, and Mr. *Prior* writes Ld. *Dartmouth* a very elaborate Letter,

ſull of Monſ. *Torcy*'s Reaſons to induce our Miniſtry to recede from that Point, and concludes with this remarkable one. 'That the whole Treaty being Eventual, this Acknowledg-'ment of *Philip* as K. of *Spain*, would fall as the other Points, 'unleſs the Conditions were made good, and the Peace a-'greed and ratified.

Hereupon L. *Bolingbroke* determines this Matter in Favour of *Spain*, by imputing the former Directions to Ld. *Dartmouth*'s miſtaking the Queen's meaning: And writes Mr. *Prior* Word that he was equally ſurpriz'd, and vexed to find by the uncouth way of explaining the Q's Senſe, that Mr. *Prior* had been led to imagine it was intended Ld. *Lexington* ſhould make any difficulty of acknowledging the K. of *Spain* as ſuch. *The proceeding this way by acknowledging the King in the firſt place*, (ſays his Lordſhip,) *ſeems natural, civil, and unexceptionable, but any other Scheme is abſurd and inconſiſtent with all the reſt of our Proceedings*; and then concludes, *For God's ſake, dear* Matt, *hide the Nakedneſs of thy Country, and give the beſt turn* thy fertile Brain will furniſh thee with, to the *Blunders of thy Country-men, who are not much better Politicians than the* French *are Poets*. Ld. *Dartmouth* acquieſced, and diſpatch'd Orders to Ld. *Lexington*, to acknowledge K. *Philip*, notwithſtanding his former Inſtructions to the contrary.

Nor did the Miniſters ſhew that Zeal for the Q's Honour as might be expected, with reſpect to the *Catalans*; but plainly gave this Matter up. Lord. *Bolingbroke* in his Letter to the Q's Plenipo's at *Utrecht*, tells them, *It is not for the Intereſt of* England *to preſerve the* Catalan *Liberties, and obſerves, that the* Catalan *Privileges are the Power of the Purſe and Sword*; *but that the* Caſtilian *Privileges, which the K. of* Spain *will give them (in exchange for their* Catalan) *are the Liberty of Trading to the* Weſt-Indies, *and a Capacity of holding thoſe beneficial Employments the K. has to beſtow in* America, *which*, ſays his Ldſhip, *are of infinitely greater Value to thoſe who intend to live in a due Subjection to Authority*. Ld. *Lexington* alſo, inſtead of ſupporting the *Catalan* Privileges, treated the People as Rebels, and to induce *Spain* to make Peace with *Portugal*, puts Monſ. *Orry* in mind of the neceſſity *Spain* is in of withdrawing their Troops from *Andaluſia*, in order to end the *Rebellion* of the *Catalans*. When the Convention

Convention was forc'd upon the Emperor for the evacuating *Catalonia*, the Imperial Miniſters at *Utrecht* inſiſted upon the preſerving by that Treaty the Privileges of *Catalonia*, *Majorca*, and *Ivica*; but *France* and her Confederates inſiſting that that Matter ſhould be referred to the Peace, the Imperial Miniſters at laſt acquieſc'd upon the Q. of *Great Britain*'s declaring again, *That ſhe would interpoſe her good Offices in the moſt effectual Manner to obtain the Privileges of* Catalonia, Majorca, *and* Ivica: And the *French* K. engag'd. at the ſame time, to join his Endeavours for that Purpoſe, Hereupon the Negotiation in *Spain* was kept up till our Treaty of Peace with that Crown was ripe, by which the *Catalan* Liberties were to be abandon'd. This Ld. *Lexington* ſign'd, contenting himſelf with proteſting againſt that Article at the ſame Time he ſign'd it; as he had writ Word before he intended to do, and that therefore the Q. was entirely at liberty to reject it.

Notwithſtanding the King of *Spain*'s former refuſal, Lord *Lexington* is directed to inſiſt upon the *Catalan* Privileges and is again told, That the *Queen* thought her ſelf obliged by the ſtrongeſt Ties, *viz.* thoſe of Honour and Conſcience, to inſiſt upon it, for a People whom the Neceſſity of the War had obliged her to draw into her Intereſt. His Ldſhip had ſign'd the Treaty with *Spain* before theſe Orders to preſent another Memorial arrived. He thereupon acquaints the Marquiſs of *Bedmar*, that he was ſorry he was oblig'd to do any thing which he knew was againſt the King's Sentiments, but having receiv'd expreſs Orders, he muſt follow his Duty, and preſents a Memorial, ſetting forth, *That the Q. had nothing more at heart, than to obtain for the Catalans the ſame Privileges they formerly enjoy'd, which ſhe thought her ſelf oblig'd to do, by the two ſtrongeſt Motives* viz. *Honour and Conſcience, that ſhe might not leave a Nation, which the Misfortune of War obliged her to draw into her Intereſt, in a worſe Condition than ſhe found them. That after all the Pains ſhe had taken for procuring a ſolid and laſting Peace to* Europe, *ſhe hop'd His Majeſty would not leave Her with the Grief of having been the Occaſion of the Loſs of the Privileges of that People, but rather that in regard to the ſtrict Friendſhip which was ſo near being eſtabliſh'd between both their Majeſties, as well as the Union ſo neceſſary to the Intereſts of both Nations; He would not make any Difficul-*

ty to grant this Favour to her Majeſty, which ſhe had ſo much at Heart.

The Marquiſs *de Bedmar*'s Anſwer to this Memorial was, 'That this Point about the *Catalans* having been debated in 'the Treaty lately concluded, and ſign'd in this Court by 'his Excellency and himſelf, the King does not ſee that any 'thing further is to be done to the Matter.' This Treaty was ſent to *England*, and ratified by the Q. Lord *Dartmouth* ſays that Ld. *Bolingbroke* had the principal ſhare in the Negotiation, and that the Article of the *Catalans* was put in as ſoft Terms as was conſiſtent with the Queen's Honour to allow. The Terms of the Treaty are, 'That the *Catalans* 'ſhall have the ſame Privileges as the King's beſt belov'd Sub-'jects the *Caſtilians* enjoy.' When the K. of *Spain* had receiv'd this convincing Proof of our Miniſtry's Attachment to his Intereſts, and that the Ties of *the Queen's Honour and Conſcience* were of no Force with them, when oppoſed to his Deſires, he takes a further Step, and directly propoſes to Ld. *Lexington, that the Queen would aſſiſt him with Ships to block up* Barcelona.

His Lp's Anſwer was, *That he was afraid this Propoſal would meet with this Difficulty, That Her Maj. would be very unwilling to lend her Ships to exterminate a People that had taken up Arms, in a great meaſure, at the Inſtigation of her Miniſters; and that ſhe would think ſhe had done enough to gratify the King, in not inſiſting upon the preſerving for them their ancient Liberties, without helping to deſtroy them.* But the Regard the Miniſtry had to this Requeſt of the K. will afterwards appear. The *French* Ambaſſ. and the Pceſs *des Urſins* propoſed to Ld. *Lexington*, and the Night before he left *Madrid*, the King ſent for him, and engaged him to write a Letter, concerted with, and approved by the K. to the Regency of *Barcelona*, adviſing *them to ſubmit themſelves to their K.* His Lp. *aſſures them of his conſtant Endeavours to do the beſt he could for them; that God had not permitted him to do more than he had done: That if they would take their Reſolution ſoon, before he was out of* Spain, *he would write for them in the manner they ſhould deſire; and concludes his Letter with New Aſſurances of his Concern for their Intereſts.* To make this appear the more friendly to them, he tells them, *he had entruſted the Conſul at* Alicant *to get this Letter conveyed to them, upon ſome Pretence or other*; tho' a Duplicate of it was alſo ſent to the

Count

Count of *Lecheraine*, one of the K. of *Sp-n*'s Generals before the Town, with Direction to have it ſent in as by a Deſerter, without his Knowledge. Mr. *Burch*, His Lp's Secretary, amongſt other Reaſons, gives this for the writing this Letter; *That if the* Catalans *had a mind to accommodate, the Q. would have the Mediation; and if they had not, that then the Court of* Sp n *would ſee, that Her Maj. would be always ready to ſerve them.* But this Artifice to induce the *Catalans* to abandon their Defence, in Hopes of His Lp's good Offices, had no effect upon Men determined to die for the Liberty of their Country. Nothing but Force could extort that from them; and therefore Sir *Pat. Lawleſs*, in *Septemb.* 1713, preſents a Memorial, to the ſame Effect with what was propoſed the Month before to Ld. *Lexington* in *Spain*; ſetting forth 'that the *Catalans* and *Majorcans* had not ſubmitted 'themſelves to the K's Obedience, and interrupted all Com-'merce and Correſpondence in the Mediterranean, and ſub-'mits it to the Conſideration of the Q. not only as Guaran-'tee of the Treaty of Evacuation, but as it concerned the 'Intereſts of *Gr. Br.* and therefore His *Cath.* Maj. hopes 'the Qu. will order a Squadron of her Ships to reduce his 'Subjects to their Obedience, and thereby compleat the 'Tranquility of *Spain*, and of the Mediterranean Com-'merce. As ſoon as the Seaſon of the Year would permit, a Fleet is accordingly fitted out for the Mediterranean, under the Command of Sir *Ja. Wiſhart*, whoſe Firſt Inſtructions bear date *Feb.* 28. and the Additional *Mar.* 18, 1713-14; by which he is ordered to 'inforce a ſtrict Obſervance of the 'Treaty of Evacuation in all its Parts; upon any Complaints 'of the Q's Subjects, of Interruptions of Commerce, or 'Depredations by the Veſſels of *Catalonia*, *Majorca*, *Sardi-'nia*, *Naples*, and other Places, to demand Reſtitution; and 'in caſe of Refuſal, to make Repriſals. To repair with the 'Fleet before *Barcelona*, then beſieged by the Enemy, and 'demand immediate Payment of the Value of the Q's Stores 'in the Town, or a ſufficient Security for Payment in ſome 'Reaſonable Time. To take care to time his Arrival before 'the Town, according to the Advices from Lord *Bingley*, 'then deſigned to be ſent to *Sp-n*; by the ſtrongeſt Repreſen-'tations to induce the Regency of *Barcelona* to accept of the 'Terms that ſhall be obtained for them. To take all the ne-

'ceſſary

'ceſſary Meaſures purſuant to the Q's Intentions to put an end 'to the Confuſions that now reign in thoſe Parts: And all 'proper Methods of Perſuaſion to induce the Inhabitants of '*Majorca* to ſubmit to the Terms that ſhall be offered them; 'and in Caſe of Refuſal, to employ his Squadron in counte-'nancing and aſſiſting all Attempts which may be made for re-'ducing them to a due Obedience. Here the Committee take notice, 1. 'That altho' the Q had engaged her ſelf by 'the Treaty of Evacuation, *to interpoſe her good Offices in the 'moſt effectual manner, to obtain the* Catalans *their Liberties*, 'yet inſtead thereof the *moſt effectual Methods were uſed to the 'contrary*, and Mr. *Prior* acquainted Mr. *Tor.* that the *Q. 'was aſſured the* Catalans *would ſubmit upon the Terms before of-'fered by the K. of* Sp-n, *without ſo much as mentioning their 'ancient Privileges any more.* 2. That the *French* K. who had 'put himſelf under the ſame Obligation as the Qu. by the 'ſaid Treaty, after this Account from Mr. *Prior*, of the Q's 'Sentiments, thought fit alſo not to ask for their Privileges; 'Mr. *Tor.* alſo alledging, *that the K. had little Intereſt with 'the Court of* Sp-n. 3. That *Brit-n* was under the ſame En-'gagements by that Treaty, to ſupport the Privileges of '*Majorca*, as thoſe of *Catalonia*, at the Time Sir *Ja. Wiſhart* 'had *direct Orders to attack them.* 4 That when theſe rigo-'rous Meaſures were forming againſt the *Catalans*, Ld. *B-ke* 'writes Word to Mr. *Prior*, *That by what we obſerve in the* 'Catalan *Agent here, of whom we have never taken the leaſt 'notice as a Publick Man, it is pretty plain that a Reaſonable 'Accommodation might be made, as he expreſſes it, with that 'turbulent People.*' What was called *Turbulency* in the *Ca-talans*, may appear by their Anſwer to the D. of *Popoli*; the K. of *Spain*'s General, who ſummoned them to ſurrender. They told him, *they would die rather than be Slaves; but if their antient Liberties were confirmed to them, they would open their Gates and receive him with all Gladneſs.* The Houſe of Lds expreſs'd their Concern in a publick Manner for the Miſeries of the *Catalans*, and by their Addreſs to the Q. *April* 3, 1714. made it their moſt humble and earneſt Re-queſt to her Majeſty, 'That She would be graciouſly pleas'd 'to continue her interpoſition in the moſt preſſing manner, that 'the *Catalans* may have the full Enjoyment of their juſt and 'ancient Privileges continued to them.' Her Majeſty's An-

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ſwer was, 'That at the time ſhe concluded her Peace with 'Spain, ſhe reſolved to uſe her Interpoſition upon every oc-'caſion for obtaining thoſe Liberties, and to prevent, if 'poſſible, the Misfortunes to which that People are expoſed 'by the Conduct of thoſe more nearly concerned to help 'them' Hereupon, for Form ſake, and to allay the Indignation conceived againſt the Miniſtry by the People in general, who compaſſionated the Calamities of thoſe who ſought for Liberty, the Demand of the *Catalan* Privileges is again put down in Ld. *Bingley*'s Inſtructions, who was before ordered to go *Spain*, but was never ſent. So that the only Favour obtained from the Miniſtry by this earneſt Addreſs of the Houſe of Lds, in behalf of the *Catalans*, was an intimation ſent by Ld. *Bolingbroke* to the Admiral, not to appear before *Barcelona*, nor to attack the *Majorcans*, till he ſhould hear from Ld. *Bingley*, and receive Directions from *England*. And alſo a Letter from his Lordſhip to Mr. *Grimaldo*, above two Months after the Addreſs, tho' the Town was inveſted at the Time of making it, wherein he makes a kind and friendly Complaint, as he terms it, that the *Catalan* Privileges had not been yet granted them, nor any reaſonable Terms offered, which they muſt either have accepted, or forfeited the Queen's Compaſſion, and that of the whole World. The Admiral had alſo his Scruples, whether his Orders would juſtifie him in attacking *Barcelona*. He therefore writes to Ld. *Bolingbroke* and Ld. *Bingley* upon it, and ſubmits it to Ld. *Bingley*'s Conſideration' 'whether the *Ca-'talans* might not refuſe Conditions that may be moſt advan-'tagious, if they find he is not to act by Force; and deſires 'that his Orders to act before *Barcelona*, either by Force 'or otherwiſe, may be very plain and clear, aſſuring him 'that he will moſt punctually obey thoſe already given him, 'and ſuch as he ſhall hereafter receive.' When Sir *James Wiſhart* arrived at *Cadiz*, he gave the Governour a Liſt of the Ships under his Command for the *Mediterranean* Service, who ſent it immediately to *Madrid*; but tho' ſeveral Meſſages came from Court to the Governour during the Admiral's ſtay there, *no one Compliment was made him, to ſignifie his Arrival was welcome, or any Queſtion asked, about what Services he was to perform, which a little ſurprized him*; that as ſoon as they had an Account at *Madrid*, of his Arrival at *Cadiz*,

Mr.

Mr. *Orry* was diſpatch'd to *Catalonia* with full Power to treat with the *Catalans*; 'ſo that, *ſays he*, it would appear, 'that tho' the K. of *Spain* has all the Advantage of the Q's. 'Ships as much as if they were actually before *Barcelona*, by 'repreſenting to thoſe People, which they very well know, 'our Arrival in theſe Parts, and how far we are on our way 'to the *Mediterranean*, yet the K. would not ſeem to owe 'the Succeſs of ſuch Agreement to the *Q.* and her Ships, but 'to *France* only.' But this Negotiation of Mr. *Orry* failing of Succeſs, by the *Catalans* refuſing to ſubmit without having their Liberties granted them, obliged the Court of *Spain* to take more Notice than otherwiſe they were inclined to do of the Admiral, who from *Alicant* writes to Ld. *Bingley*, then expected at *Madrid*, 'That he had received a very civil Let-'ter from Mr. *Grimaldo*, who ſent him the King's Order for 'exempting the Proviſions for the Fleet from paying any Duty. 'He tells Him, That this Exception was uſually granted to 'the Admiral himſelf that commanded, but being a Trifle, 'he ſubmits it to his Ldſhip's better Judgment, whether the 'granting him this, might not be a means to prevent any 'Thing that might be intended by the Court, at *Madrid* 'more to his Advantage, and leaves it to his Ldſhip's Conſi-'deration what may be moſt for his Intereſt at that Place; 'and hopes by his Friendſhip to find ſome Marks of Favour 'from thence, in regard to his Expence in this Expedition, 'ſo much intended for their Service, and for which he has no 'Allowance from home but his Pay, which will not defray 'half his Charges.' In another Letter of Sir *James Wiſhart* to Ld. *Bingley*, he acquaints his Ldſhip, 'That tho' he had 'formerly deſired him to move the King of *Spain*, that the 'Grant of Exemption of Duties for Proviſions for the Fleet 'might be made to himſelf, yet upon farther Conſideration of 'the Matter, which is but of ſmall Moment, and may ap-'pear greater at the Court of *Spain* and *England* than really 'it is, he deſires his Excellency, not to take any Notice of it, 'but let it ſtand as it does; and deſires his Excellency's 'Countenance and Aſſiſtance upon any other Occaſion that 'the Court of *Madrid* might take to expreſs their good Will 'to him.' Nor was it long before the Admiral gave the Court of *Spain* more particular Proofs that he was not un-worthy of their expected Favours. After *Barcelona* had been

been inveſted a conſiderable Time by the *Spaniards*, and reduced to great Difficulties for want of Proviſions, the *French* King, tho' engaged with the *Queen* by the Treaty of Evacuation, *to employ his good Offices in the moſt effectual manner, in favour of the* Catalan *Liberties*, thought fit to ſend his Troops againſt them, commanded by Marſhal *Berwick*, who opened the Trenches before *Barcelona* the firſt of *July*, O. S. 1714. And on the Eighth of the ſame Month, Sir *James Wiſhart*, in the *Queen*'s Name, writ them a threatning Letter, directed to the Deputies, and others who poſſeſs'd the Government there, telling them *that Complaints had been made of their diſturbing the Commerce of the Queen's Subjects, and that they had inſolently preſumed to take, carry up, and plunder their Ships, and uſed the Men in a barbarous manner; he had therefore thought fit to ſend Captain* Gordon *with two Men of War, to repreſent to them theſe unwarrantable and preſumptuous Proceedings, and by the Queen's Command demands immediate Satisfaction for the ſame, and the Puniſhment of the Officers of the Ships with the utmoſt Severity. If this be not punctually complied with, he leaves it to themſelves to judge what the conſequences may be.*

The Deputies returned Anſwer, *that only one of thoſe Veſſels mentioned in Captain* Gordon's *Memorial, was taken by them into* Barcelona, *being laden with Salt, for which they paid the Price immediately to the Captain of it; that being beſieged, they thought they might do ſo with Juſtice, and by the Law of Nations; that they were far from living like Pirates, as their Enemies ſuggeſted in order to diſtreſs them, by preventing any ones coming with Proviſions for their Relief; that what* Engliſh *Veſſels had entred their Port with Proviſions, had been well treated, and had freely ſold their Merchandize, and at a higher Price than they could have got any where elſe; and that they had that Day publiſhed an Order, forbidding upon Pain of Death any of their Ships to moleſt any* Engliſh, *even tho' they were going with Proviſion to the Enemy. They hope his Excellency will be ſatisfied with their Conduct, which is conformable to the Rights of People that are beſieged; aſſuring him, that when they ſhall know of any of their Ships, that ſhall have cauſed the leaſt Damage to any* Engliſh, *they will not only immediately inflict a rigorous Puniſhment, but repair all the Damage, deſiring to live in the good Correſpondence they have had with his noble*

and generous Nation, with utmoſt Deference for the Queen, and ready to obey his Excellencies Orders with all Affection and Reſpect. The Government of *Barcelona*, in their Extremity writ another Letter to the Admiral, dated *July* 23, ſetting forth, 'That the Engagement *Catalonia* entred into to receive *Charles* the Third for their King, was founded on the 'Protection of the High Allies, but moſt particularly 'of *England*; That they had for ſeven Years endeavoured 'to ſerve the *Engliſh* Nation in every Thing it was poſſible 'for them to do, by contributing Troops and conſiderable 'Sums of Money without Intereſt. And tho' they had 'pleaſed themſelves with the Thoughts of the Happi-'neſs to be always Subjects of *Charles* III. yet by the ordi-'nary Change to which Human Affairs are liable, they now 'ſee the Troops of the Duke of *Anjou*, aided by the *French*, 'Maſters of all the Principality except *Barcelona* and *Car-'dona*, committing through the whole the moſt execreable 'Hoſtilities, Burnings and Plunderings, without ſparing the 'Effuſion of innocent Blood, and without Diſtinction of 'Age or Sex. That for a Year together the Enemies Army 'had oppreſſed *Barcelona* by Sea and Land, making them 'continually ſuffer the Calamity of ſo long a Blockade; du-'ring which Time the Enemies have thrown 14 Thou-'ſand Bombs into the Town, which have ruined the greateſt 'part of the Houſes; that now they expect to be attacked 'in Form; They cannot expreſs their Affliction, to ſee the 'Danger of the Inhabitants expoſed to be the Victims of 'that Cruelty with which the Enemy threatens to treat 'them. Having no Comfort left, they fly to the *Queen* of '*Great Britain*, beſeeching Her Protection by the incloſed 'Letter to *Don Dalmaſes*, their Envoy at *London*; and in 'the mean Time, till an Anſwer can come, they beſeech 'his Excellency from their Souls to mediate with the *French* 'Troops who oppreſs them, for a Suſpenſion of Arms, ſince 'the Congreſs at *Baden* now ſitting to conclude of a Gene-'ral Peace, may ſtill determine this Affair; they doubt not 'that his Mediation will be able to procure them this Re-'lief, ſince his Squadron is ſuperior to that of the Enemy. 'They ſee no other Remedy in Nature for their Misfor-'tunes, and therefore hope his Excellency will not refuſe 'them; That if *Catalonia* has merited any Thing by its Ser-'vices, and by its Conjunction with the *Engliſh* Nation, this

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'is the Time to receive the Fruits of it; that it is worthy 'of his Excellency to comfort the Afflicted, and not to de- 'ny them this Favour in their great Neceſſity.

How the Admiral was affected with this Letter may appear by one of his to Ld. *Bingley*, dat. *Aug.* 7. wherein he acquaints him, *That Mr.* Grimaldo *had ſignified to him from the K. of* Spain, *that all the K's Ships of War being employ'd before* Barcelona, *His Majeſty could not ſend any of them to meet his Flota then coming home; and therefore deſired the Admiral to ſend Three of his upon that Service, which was accordingly comply'd with. Of this he had acquainted Ld.* Blake, *and hoped to meet with Her Majeſty's Approbation.* The *Catalans* thus abandon'd, and given up to their Enemies, contrary to Faith and Honour, were not however wanting in their own Defence, but appealing to Heaven, and hanging up at the High Altar *the Q's ſolemn Declaration* to protect them, underwent the utmoſt Miſeries of a Siege; during which, what Multitudes periſhed by Famine and the Sword? How many have ſince been executed? And how many Perſons of Figure are ſtill diſperſed about the *Span.* Dominions in Dungeons, is too well known. However the Calamities of the *Catalans* cannot be imputed to *Gr. Br.* in general, abuſed by the Miniſtry, with repeated Aſſurances, that every thing was doing for *the Preſervation of that unfortunate People.*

The Committee find frequent Mention made of the Abbot *Gaultier*, who, altho' he does not appear to have had any publick Character, reſided in *England* during the greateſt part of this Negotiation, and, upon extraordinary Occaſions, was very often ſent backward and forward. But the Share he had in the more publick Tranſactions, was not his only Buſineſs. It is evident, that ſome *Negotiations, which requir'd more than ordinary Privacy, were verbally tranſacted*, and upon all ſuch Occaſions, Abbot *Gaultier* was the Perſon to whom the *French* and *Engliſh* Miniſters mutually referr'd each other. And as nothing could be a greater Secret than all Matters relating to the *Pretender*, this Province was particularly allotted to Abbot *Gaultier*, that thro' his Hands, and under his Conveyance, by *French* Couriers going continually betwixt *Fra.* and *Eng d*, ſuch Practices might be carry'd on with great Safety, which in any other manner had been too dangerous an Undertaking. The firſt Time that any Secret Negotiation is expreſly referr'd to Abbot *Gaultier*, is found in a Letter,

where Mr. *St. John*, *Mar.* 4. 1711-12, tells Mr. *Torcy*, *He had deferr'd writing to him of late, till the neceſſary Diſpoſitions were made among our People at home, and till the Q. had taken the only Reſolution which could bring us in a ſhort Time to a good and ſolid Peace. I have now the Satisfaction to tell you, that this Reſolution is taken, and that Mr.* Harley *will carry with him this Night, or to Morrow Morning, the Final Inſtructions of the Q. to her Plenipo's. I refer my ſelf to Mr.* Gaultier, *to explain to you more at large the Subject of this Gentleman's Commiſſion, and what the Q. hopes His* Moſt Chr. *Maj. will do to co-operate with her.* It is not to be expected, that thoſe who have been ſo careful to ſuppreſs Matters of leſs Importance, would leave behind them any Tranſactions that might tend directly to favour the Cauſe of the *Pretender*. But as the Commit. has obſerv'd ſeveral Paſſeges which are a plain Indication of the Regard with which the Cauſe and Perſon of the *Pretender* were treated, as often as mention'd, they thought fit to bring them together, and lay them before the Houſe in one View. There is a Paper that was left in Ld. *B-ke's* Cloſet, dated at *Verſailles*, *Sept.* 24, 1711, endors'd, as other Office-Papers uſually are. It gives an Account that the Pope's Nuntio had in his Laſt Audience of the K. made the following Declaration: *The Court of* Rome *being fully inform'd, that* Fran. *was endeavouring to procure a Peace upon the moſt Advantageous Terms that was poſſible, and being perſuaded, that if the Peace ſhould be made,* Engl. *would not ſuffer that the K. of* France *ſhould permit the P. of* Wales *to continue in his Realms; the Court of* Rome *offers to the K. of* France *to give this Pr. an* Azylum *at* Rome, *or in any other Part of the Eccleſiaſtick Dominions.* To which the Ki. of *France*, return'd in Anſwer, *That an* Azylum *for the P. of* Wa. *would be no Obſtacle to the Peace. That if the Allies did truly deſign to make a Peace, he would accept of any Reaſonable Propoſitions they ſhould make; and in this Caſe an Article for the P. of* Wa. *would be inſerted in the Treaty. June* 7, 1712, the Bp. of *Briſtol* giving an Account to Ld *B-ke* of ſome Diſcourſe he had with ſome of the Miniſters of the Allies, ſays, *Monſr.* Consbruck, *one of the Emperor's Plenipo's, kept alſo within the Terms of Decency, ſave only that he took it for granted, that one great End of all this Management on our Part, was to bring in the* Pretender; *which Apprehenſion one of the Miniſters of the States lately*

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own'd in Private Diſcourſe, to have been the Fundamental Reaſon of all their Conduct of late. It cannot be forgot what great Streſs and Weight was laid upon the Removal of the *Pretender* out of the Dominions of *France*. This was what all the Nation, with great Juſtice, expected, and what the Qu. declared was taken Care of, as an additional Security to the *Proteſtant* Succeſſion. But his Removing out of *France*, and being permitted to reſide in *Lor-n*, was not only a great Surprize to all the Nation, but was receiv'd with ſuch juſt Indignation, that the Parl. addreſs'd the Qu. upon this Occaſion, *That ſhe would inſiſt upon his Removal from* Lor-n, *that Reſidence being equally, or more dangerous to* Gr. Br. *than his Abode in* Fr-ce. Her Maj's Anſwer, *That ſhe would repeat her Inſtances*, occaſion'd in the H. of Lds a becoming Reſentment, that the Du. of *Lor.* ſhould preſume to receive and entertain the Pretender to Her Crown, in Defiance to Her Maj's Application to the contrary. But it will now appear in what manner the Removal of the *Pretender* out of *Fr-ce* was ſettled, and that his Reſiding at *Lorrain* was not only with the Approbation, but even by the Direction and Appointment of the *Engliſh* Miniſtry. Mr. *St. John*, in his Letter to Mr. *de Tor. May* 24, 1712, *O. S.* concludes with ſaying, *He hopes, that, with the general Repoſe we ſhall ſee reviv'd in a few Weeks, a good Underſtanding between Two Nations, which may become to each other the moſt uſeful Friends, for the ſame Reaſons they have been the moſt formidable Enemies. The Q. commands me to tell you, that ſhe hopes, when you ſend an Anſwer to this Letter, we ſhall have an Account that the Chevalier had begun his Journey.* In Anſwer to this, Mr. *de Torcy* ſays to My Lord *B-ke, You may aſſure the Q. that the Chevalier is ready to depart at a Moment's Warning, if he did but know where he was to go, and in what Place he might be in Safety. I own to you, that I know no Prince who is willing to receive him, for Fear of diſpleaſing the Q. or other Powers; it will be abſolutely neceſſary that there ſhould be ſome Explanation upon this Subject, which I deſire you to make to me by the Ab.* Gault. *if you do not judge it proper to do it your ſelf.* Mr. *St. J-n, June* 6, 1712, *O. S.* writes a Publick Letter in Anſwer to the ſeveral Points contain'd in Monſr. *de Torcy's* Laſt Letter; but in that Letter takes no Notice at all of the *Chevalier*. But the Day after, *June* 7, 1712, he writes *a Private Letter*, as he calls it himſelf,

ſelf, to Mr. *de Tor.* and concludes, *The Ab.* Gaultier *will write to you upon the Subject of the Chevalier.* The Commit. obſerve, there are Two Copies of this private Letter, one deliver'd by My Lord *Bol ke*, the other enter'd in Ld. *Stra-d*'s Book: And in the Copy of this Letter given in by Ld. *B-ke*, this Paſſage, *That Abb.* Gault. *ſhall write about the Chev.* is omitted by His Ldp. *June* 22, 1712, *N. S.* Mr. *de Torey* writes Two Letters to My Ld *B-ke*. In the Publick Letter nothing is ſaid of the *Pretender*; the Private Letter concludes with ſaying, *I have the Honour to ſend you a Letter under the K's Hand, for Her* Brit. *Maj. and I refer you to what the Ab.* Gualt. *ſhall ſay to you, about the Departure of the Chevalier.*

Aug. 21, 1712, Ld. *B-ke* being then in *Fr-ce*, in his Diſpatch to the E. of *Dartm-h*, ſays, 'The Chevalier has fix'd his 'Departure for the Firſt of Next Month, N. S. they pro- 'poſe that he ſhall retire to *Bar*, and they intend to write to 'the D. of *Lor.* to ask of the Emp. and other Princes, a Se- 'curity for his Perſon, during his Reſidence in that Place. But on the 28th of *Dec.* 1712, *N. S.* it appears, that the Chev. was ſtill in *France*, upon which Account Mr. *Prior* writes thus to My Ld. *Bol ke*: 'Another Point upon which 'this Court is very ſollicitous, is, that the Chev. remaining in 'any Town of *Fr-ce* obſtructs the Signing the Peace; yet he 'cannot go to *Lor-n* till the Emperor's Paſſe-ports will ſecure 'him there. Your Lp. by the Peruſal of the Papers, will 'ſee the State of that Caſe; and I have only to add upon this 'Subject, that the Court of *Fr-ce* expreſſes an Impoſſibility 'on their Side, to do more than they have done, and hopes 'we ſhould have Intereſt enough with the Emperor, to ob- 'tain ſuch Paſſe-ports from him, as may ſecure, as well the 'Perſon who is to go into *Lor-n*, as the D. of *Lor.* who is to 'receive him. Mr. *Prior* on the 29th, writes to the ſame Ef- fect to My *Ld. Treaſ.* and ſays, *The Monarch is a good deal troubled upon this Head, leſt the Young Man ſhould fall into the Hands of the* Huſſars *or* Barbarians. *And Mr.* d'Aumont *has, I preſume, Orders to ſpeak to our Miniſtry upon it. As to the Dowry, I ſhall not only be dunn'd to Death, but hang'd; for the Dowager ſends Meſſengers to me, which you in* Eng d *do not think it extremely lawful to receive: But if it is to be paid, pray let it be done in a handſome manner, that may ſhew the Charity of the Q. and the Generoſity of her* Lord Treaſ. The Papers re-

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ſerr'd to in Mr. *Prior*'s Letter, contain an Account of what the D. of *Lorrain* had done at the Deſire of the K. of *France*, to obtain from the Allies the neceſſary Safeguards for the *Chevalier*. He ſays, *That underſtanding that the Queen of* Great Britain *had already granted Her Safeguard or Protection to the Chevalier* de St. George, *He believ'd they had no more to do, but to apply to the Emperor, and to the States-General.* By this Account it is evident, that Abbot *Gualtier* managed the Affairs of the *Pretender*, with whom ſuch Practices were verbally to be tranſacted as our Miniſtry did not think proper to commit to Writing. That the Place to which he was to go, becauſe no Body would receive him at the Hazard of the *Queen*'s Diſpleaſure, and where he might remain in Safety, was to be preſcribed from *England*. That this was not fix'd and determin'd till Ld. *Bolingbroke* went into *France*. And if his Ldſhip's Inſtructions are conſider'd, it will be hard to find in them any thing of that Importance and Secrecy, *as to require his going in Perſon to ſettle it.* His Ldſhip gives an Account from thence, that the *Pretender* was to go to *Bar*, and this is acquieſc'd in here without the leaſt Objection made. The Miniſtry are told by Mr. *Prior*, *that the Court of* France *hopes by our Intereſt ſuch Paſſports would be procur'd as might ſecure his Perſon*: And in the Paper ſent to *France* from the D. of *Lorrain*, it is aſſerted, *That the Q. of* Gr. Britain *had already granted Her Protection to the* Pretender. But *Nov.* the 6th, 1713, Ld. *Bolingbroke* writes to Mr. *Prior*, 'Her Maj. having repeated to the D. of *Lorrain* 'the Inſtances which you know have been ſo often made to 'the moſt Chr. King, for removing of the *Pretender* to Her 'Crown out of his Dominions, I am directed to acquaint 'You therewith, that You may ſpeak to the Miniſter of *Lor-* 'rain, and to any other Miniſter whom you ſhall think pro- 'per, and let them know it is abſolutely inconſiſtent with the 'Amity and good Correſpondence that is between the *Q.-n* 'and their Maſters, to receive into their Dominions, or to 'protect a Perſon, who diſputes Her Majeſty's Title, and 'endeavours to diſturb the Peace of Her Kingdoms. That 'you may be able to ſhew them that this is the Collective 'Senſe of the whole Nation, as well as the *Queen*'s Com- 'mand to you, I herewith ſend you the Addreſſes of Both 'Houſes of Parliament.' This can be underſtood as no more than

than a bare Compliance with the Addreſſes of Parliament. And to ſhew how little Reſentment and Indignation was conceiv'd againſt the D. of *Lorrain* for this Indignity offer'd to Her Majeſty, the Committee inſert here a Letter wrote by Ld. *Bolingbroke* to Mr. *Prior* within Four Days after his laſt mention'd Letter upon the Subject of the *Pretender*. 'This Letter, ſays Ld. *Bolingbroke* to Mr. *Prior*, will be 'delivered to you by the Baron *de Forſtner*, who has been 'twice at our Court with the Character of Envoy from the 'Duke of *Lorrain*, and who is extremely well with your 'Friends on this Side of the Water, that I make no doubt 'but that he will be a welcome Acquaintance to you: I muſt 'at the ſame Time recommend the Intereſt of the D. of *Lorrain* his Maſter to your Care. You know, Sir, how little 'that Prince has yet felt the good Effects of what was ſtipu-'lated for him at *Ryſwick*. You know, Sir, how juſtly he 'pretends to an Equivalent from this Emperor for the *Mont-'ferrat*, which was given away from him to the K. of *Sicilly*. '*In a Word, you are enough appriz'd of his Wants, of his Ex-'pectations, and of Her Majeſty's earneſt Deſire, if by any 'means ſhe can, to contribute to the Eaſe, and to the Advan-'tage of a Prince, who deſerves much better Uſage than he 'has on many Occaſions met with.* There are ſeveral other Letters that were wrote after the Addreſs of Parliament to preſs the removing of the *Pretender* from *Lorrain*; but 'tis needleſs to obſerve what little Effect was to be expected from ſuch Repreſentations made in the ſeveral Courts of *Europe*, which were known to be *Contrary to the Senſe and Intention of the Court of* Gr. Britain. And if any further Demonſtration was wanting to ſhew their true Spirit and Inclination, it may be obſerv'd that the Addreſſes in Parliament were made in *July*, 1713; And the firſt Letter that Ld. *Bolingbroke* wrote in purſuance of thoſe Addreſſes was the 6th of *Nov.* which was Four Months after the Addreſſes were preſented to the *Queen*. The Committee inſert here an Extract of a Memorial touching the Demolition of the Sluices of *Dunkirk*, deliver'd by Mr. *de Torcy* to Ld. *Bolingbroke* at *Paris*, in *Aug.* 1712. 'It is not our Buſineſs now to exa-'mine whether the *Q---n* of *England*, and the *Engliſh* Nation, 'were in the right to demand the Demolition of the Forti-'fications, and the filling up the Harbour of *Dunkirk*. That

'is

' is a Thing resolv'd and agreed upon. It may perhaps come ' to pass in the Course of this Affair, for Reasons easily to ' be foreseen, That *England* shall repent having demanded ' the Demolition of a Place, and the Destruction of an Har- ' bour, which might be of great Use in Conjunctures which ' perhaps are not very remote. The Committee do not take upon them to explain what *Conjuncture France* had in View, and *which they thought not very remote*, when *Dunkirk* might be of particular Service; but think it proper to conclude this Part of the Report with observing, That *the* Pretender *did immediately upon the Demise of the late Queen* publish a *Declaration*, which the D. of *Lorrain* has acknowledg'd in his Letter of the 6th of *Dec.* 1714, that he receiv'd from the *Pretender* himself, wherein is this remarkable Passage, ' Yet ' *contrary to our Expectations upon the Death of the Princess our* ' *Sister (of whose good Intentions towards Us We could not* ' *for some Time past well doubt; and this was the Reason we* ' *then sat still, expecting the good Effects thereof, which were* ' *unfortunately prevented by Her Deplorable Death) We found* ' *that Our People, instead of taking this favourable Opportunity* ' *of retrieving the Honour and true Interest of their Country,* ' *by doing Us and Themselves Justice, had immediately pro-* ' *claim'd for their King a foreign Prince, to Our Prejudice,* ' *contrary to the Fundamental and Incontestable Laws of Here-* ' *ditary Right, which their pretended Acts of Settlement can* ' *never Abrogate.*

After this the Committee insert at large, a Letter from the E. of *Oxford* and *Mortimer*, to the *Queen*, dated *June* the 9th, 1714; with an Account of Publick Affairs from *Aug.* the 8th, 1710, to *June* the 8th, 1714, all written with his own Hand. The Letter is as follows:

May it please Your Majesty,

' I Presume, in Obedience to Your Royal Commands, to ' lay before Your Majesty a State of Your Affairs. Tho' ' I have very much contracted it from the Draught I made, ' and the Vouchers from whence it is taken; yet I find it ' swell under my Pen in Transcribing, being willing to put ' every Thing before Your Majesty in the clearest Light my ' poor Understanding can attain to. It was necessary to lay ' it before Your Majesty in the Series of Time, from the be- ' ginning to this present Time; and when that is compleatly

'laid before You, it remains only for me to beg God to di-
'rect Your Majesty.

'And as to my self, do with me what You please, place
'me either as a Figure or a Cypher, displace me or replace
'me, as that best serves Your Majesty's Occasions, You shall
'ever find me, with the utmost Devotion, and without any
'Reserve,

MADAM,

Your most Dutiful, most Faithful, most Humble, most Obedient Subject, and Unworthy Servant,

OXFORD.

A Brief Account of publick Affairs since Aug. *the* 8*th*, 1710, *to this present* 8*th of* June, 1714. *To which is added, The State of Affairs Abroad, as they relate to this Kingdom; with some humble Proposals for securing the future Tranquility of Her Majesty's Reign, and the Safety of Her Kingdoms.*

'HER Maj. on the 8th of *Aug.* 1710, was pleas'd to alter
'Her Treasury, and two Days after, in a New Com-
'mission, *Rob. Harley*, by Her Majesty's great Favour was
'made Chancellor of the *Exchequer*. The State of Affairs
'at Home and Abroad are fresh in every ones Memory.

'The Condition of the Treasury at that Time was laid
'before Her Maj. in a large Representation. I beg leave
'to touch some few Heads. The Army was in the Field;
'no Money in the Treasury; none of the Remitters would
'Contract again; the Bank had refus'd to lend a Hundred
'Thousand Pounds to Ld. *Godolphin* on very good Security;
'the Navy, and other Branches of Service, Eleven Millions
'in Debt, which enhanced the Price of every Thing propor-
'tionably; the Civil List in Debt about Six Hundred Thou-
'sand Pounds, and the Yearly Income too little for the Cur-
'rant certain Expence, by the lowest Computation, One
'Hundred Twenty Four Thousand, Four Hundred Ninety
'Five Pounds, Two Shillings and Four Pence. In a few Days
'this New Commission, made Provision for paying the Army
'by the greatest Remittance that had ever been known:
'Tho' the Opposition from every Office, which was full of
'Persons who were Enemies to the Change made by the *Q-n*,
'was very strong, and very troublesome and vexatious; and
'such was the Situation of Affairs, that nothing but great
'Patience could ever have overcome these Difficulties; it

'being

' being impoſſible as well as unavoidale to make Removes,
' but by Degrees. As ſoon as it was poſſible, (and notwith-
' ſtanding the Clamours then raiſed, it was the only proper
' Time) a New Parliament is call'd. Its firſt meeting was
' *Nov.* the 27th, 1710, *Rob. Harley* had prepar'd the Funds
' ready (before the Parliament met, as he has done every
' Seſſion to this Day) not only for the Current Service of
' the Year, both by Sea and Land, but alſo for eaſing the Na-
' tion of above Nine Millions of Debt. This was thought
' ſo Chimerical when *Rob. Harley* did begin to open it, that
' it was treated with Ridicule, until he ſhow'd how practica-
' ble it was. It is true, this gave great Reputation Abroad,
' and enabled to treat advantageouſly of a Peace: *It rais'd*
' *ſinking Credit at Home*, but at the ſame Time as it drew
' Envy upon *Harley* from ſome, and the Rage of others, ſo it
' gave Offence to ſome of his Fellow Servants, who told him
' plainly that he ought to have told his Secret, and if he
' would not get Money himſelf, he ought to have let his
' Friends ſhare a Hundred Thouſand Pounds, which would
' not have been felt or found out in ſo vaſt a Sum as Nine
' or Ten Millions. To this Principle was owing the ſetting
' on Foot at this time *the unhappy Voyage to* Canada: To all
' which Meetings *Harley* avoided coming, and gave Lord
' *Rocheſter* his Reaſons, and after he deſir'd his Ld/hip to be
' a Means to the Queen to hinder that Expedition; but it
' happen'd to be too late. But Ldy *Maſham* knows how
' much *Harley* was concern'd at it, tho' he did not know
' the true Spring of that Voyage, which will appear after in
' this Paper. The beginning of *Feb.* 1710 11, there began
' to be a Diviſion amongſt thoſe call'd *Tories* in the Houſe,
' and Mr. Secretary *St. John* thought it convenient to be
' Liſting a ſeparate Party for himſelf. To prevent this, Ld.
' *Rocheſter* and *Harley* deſir'd to have a Meeting, and to
' cool ſuch raſh Attempts; and it was contriv'd Mr. Secre-
' tary *St. John* ſhould invite Us to Dinner, (which was the
' laſt Time he ever invited *Rob. Harley*, being now above
' Three Years) where was D. of *Shrewsbury*, E. *Poulet*,
' Ld. *Rocheſter*, and others; and Ld. *Rocheſter* took the pains
' to calm the Spirit of Diviſion and Ambition. *Harley* was
' at this time ſeized by a violent Fever, and on his firſt com-
' ing Abroad, *March* 8. met with a Misfortune which con-
' fin'd him many Weeks. The Tranſactions during that

'Time are too publick, as well as too black, for *Harley* to 'remember or to mention. In the End of *May* 1711, the 'Queen, out of Her *abounded Goodneſs*, was pleas'd to 'confer undeſerv'd Honours on *Rob. Harley*; and on the '29th of the ſame Month, was pleas'd to put the Treaſurer's 'Staff into his Hands: A Poſt ſo much above *Harley*'s Abili-'ties to ſtruggle with, that he had nothing but *Integrity and* 'Duty to recommend him to Her Majeſty's Choice; ſo he 'muſt have recourſe to Her Majeſty's Tranſcendent Good-'neſs and Mercy to pardon all his Faults and Failings, both 'of Omiſſion and Commiſſion, during the whole Courſe of 'his Service. But to return and reſume the Thread of this 'Diſcourſe: The 4th of *June* 1711, Three Days after the 'Treaſurer was ſworn, he was ſurpriz'd with a Demand of 'Twenty Eight Thouſand Thirty Six Pounds and Five Shil-'lings, for Arms and Merchandize, ſaid to be ſent to *Canada*. 'When the Treaſurer ſcrupled this, Mr. Secretary *St. John*, 'and Mr. *Moor* came to him with much Paſſion upon this 'Affair; and about a Fortnight after, the Secretary of State 'ſignified the Queen's poſitive Pleaſure to have that Money 'paid; and accordingly Her Majeſty ſign'd a Warrant *June* '21. and the Treaſurer not being able then, with all his 'Precaution, to diſcover further Light, the Money was 'paid *July* 4th 1711. Since the Return from that Expedi-'tion, the Secret is diſcovered, and the Treaſurer's Suſpi-'cion juſtified: *For the Publick was cheated of above Twenty* 'Thouſand Pounds. There is Reaſon to be more particular 'upon this Head, becauſe it is one of the Things never to be 'forgiven the Treaſurer; and Ld. Chancellor told him more 'to that Purpoſe; that they told him no Government was 'worth ſerving, that would let them make thoſe Advan-'tages, and get ſuch Jobbs.

'One thing more is crav'd leave to be added, That 'the Treaſurer was forc'd to uſe all his Skill and Cre-'dit to keep the Houſe of Commons from examining this Af-'fair laſt Parliament. *June* the 12th. 1712. The firſt Seſ-'ſion of laſt Parliament ended. From this time, to the be-'ginning of the next Seſſion, *the Treaſurer's Hands were full* 'of Negotiating the Peace in all Courts abroad; and beſides 'the ordinary and neceſſary Duty of his Office at home, he 'had frequent Occaſion of Calming the Quarrels and

'Grudges

'Grudges Mr. Secretary had ſometimes againſt Lord *Dart-*
'*mouth*, ſometimes againſt Lady *Maſham*, and ſometimes a-
'gainſt the Treaſurer himſelf. The Second Seſſion of the
'laſt Parliament began *December* the 7th, 1711. This was
'attended with great Difficulties and Dangers, as well from
'the Practices of the Diſconted here, as the Deſigns carry'd
'on by Mr. *Buys*, Prince *Eugene* and *Bothmar*; in which
'Deſigns concurr'd the Emperor, and other States and Prin-
'ces who gain'd by the War. This put her Majeſty under a
'ſort of Neceſſity to preſerve the whole, and to take a Me-
'thod which had been us'd before *to create ſome New Peers*.
'So may having been brought formerly out of the Houſe of
'Commons of thoſe who us'd to manage Publick Affairs, it
'was propos'd to Mr. Secretary, That if he would be con-
'tented to ſtay in the Houſe of Commons that Seſſions, Her
'Majeſty would have the Goodneſs to create him a Peer,
'and that he ſhould not loſe his Rank. The Second Seſſion
'ended the 21ſt of *June*, 1712; and notwithſtanding *Both-*
'*mar's* Memorial, and all other Attacks both from Abroad
'and at Home, Supplies were provided, and every Thing re-
'lating to the Publick put upon a good Foot, and the Male-
'contents began to deſpair as appear'd by the D. of *Marlbo-*
'*rough* retiring Abroad, and other Particulars. After the
'Seſſion was ended, the Queen, as She had promis'd, Or-
'der'd a Warrant for Mr. Secretary *St. John* to be a Viſ-
'count; this happen'd to put him in the utmoſt Rage againſt
'the Treaſurer, Lady *Maſham*, and without ſparing the
'Greateſt. It did avail very little to tell him, how much he
'had got in Place; for had he been created with the other
'Lds, it would have fallen to his ſhare to have come next af-
'ter Ld. *Trevor*; but the *Treaſurer* with great Patience bore
'all the Storm, of which Lord *Maſham* was often a Witneſs
'of the Outragious Speeches; and Mr. *Moor* very lately told
'the *Treaſurer*, that Ld. *Bolingbroke* ſaid very lately to him,
'that he ow'd him a Revenge upon that Head. This Diſcon-
'tent continued, until there happen'd an Opportunity of
'ſending him to *France*; of which there was not much Oc-
'caſion; but it was hop'd, that this would have put him in
'good Humour; which it did, until in *October* 1712, there
'were Knights of the Garter made. This created a new
'Diſturbance, which is too well remembred, and breaks out

now

'now very often in Outrageous Expreſſions publickly againſt
'all then made. In *November*, on the Death of D. *Hamilton*,
'he was much againſt D. *Shrewsbury*'s going, for Reaſons ve-
'ry plain, which then were in Negotiation; for before the
'laſt Seſſion of that Parliament began, a new Model was
'fram'd, or a Scheme of Miniſtry; which how they after-
'wards came to fall out, will appear in its due Place. The
'third and laſt Seſſion began *April* the 9th, 1713; which
'was as ſoon as the Peace was concluded, and could be Pro-
'claim'd It is not decent to take Notice, *That during this*
'*whole Negotiation, the Treaſurer was obliged by his own Hand,*
'*and his own Charge, to Correſpond in all the Courts concern'd in*
'*the Negotiation; and very often he had the good Luck to ſet*
'*Right ſeveral Miſtakes, and to obtain ſome Things very little*
'*expected; but the only Merit of this belongs to Her Majeſty,*
'*the Credit of whoſe Favour brought it about, and gave Power*
'*to the Treaſurer to act with Succeſs.* During this Seſſion,
'the Lds of the Cabinet, and Others, met every *Saturday*
'at the Treaſurer's, in Order to carry on the Queen's Buſi-
'neſs as they had done the Year before on *Thurſdays*.
'Many Offers were made, and repeated by the Treaſurer,
'in order to attack former Offenders, and quiet the Minds
'of the Gentlemen, and of the *Church Party*; and the only
'Reaſon for this Failing, was, becauſe of the Project laid
'for their New Scheme, and putting themſelves at the Head,
'as they call'd it, of the *Church Party*. This being the laſt
'Seſſion of Parliament, and ſome Gentlemen fearing their
'Elections, and ſome for other Reaſons, dropt the Bill of
'Commerce. The Treaſurer ſaw this Opportunity, and
'immediately took it, and prevail'd with Sir *Thomas Han-*
'*mer*, and Others, to come into the Payment of the Civil
'Liſt Debts, incurr'd before the Change of the Treaſury,
'tho' the preſent Treaſurer was rail'd at, and malign'd;
'which he choſe to bear patiently, rather than own the true
'Reaſon, that there was no Money to do it with, which
'would have ruin'd all at once. This Step of paying the
'Debts, put the Malecontented into the utmoſt Rage, which
'they did very publickly expreſs in both Houſes. This laſt
'Seſſion of that Parliament, and the Third ſince the Change
'of the Miniſtry, ended *July* the 16th. 1713. The Peace
'with *France* being over, and it growing neceſſary to put

Her

'Her Majeſty's Affairs into a further and more ſettled Regu-
'lation, and to eaſe the Treaſurer of the Burthen, as well
'as Envy, of ſuch a Bulk of Buſineſs; Her Majeſty was
'pleas'd to approve of the Scheme of the Duke of *Ormond's*
'ſtaying here to attend the Army Affairs, which was neceſ-
'ſary at the time of Disbanding; Duke *Shrewsbury* to go to
'*Ireland*, upon his Return from *France*; Lord *Findlater* to
'be Chancellor of *Scotland*; Lord *Mar* Third Secretary;
'Ld. *Dartmouth* Privy Seal, and Mr. *Bromley* Secretary of
'State, and Sir *William Wynham* Chancellor of the Exche-
'quer. I am ſure the Queen very well remembers the *Rage*
'this caus'd, as perfectly *Defeating their Scheme*, and ſhewing
'that Her Majeſty would put her Affairs upon a ſolid Foot;
'the Ld. Chancellor ſaid it was againſt Law, and to this
'Day will not treat Ld. *Findlater* with Decency; and Lord
'*Mar* has met with many ill Treatments as well as Mr. Se-
'cretary *Bromley*. But that the Treaſurer might leave them
'without Excuſe, and make Her Majeſty's Affairs, if poſſible,
'eaſy with and to thoſe in Her Service; as ſoon as he was
'recover'd enough to write, he wrote a large Letter to Ld.
'*Bolingbroke*, containing his Scheme of the Queen's Affairs,
'and what was neceſſary for Ld. *Bolingbroke* to do, as be-
'longing only to his Province. This Letter was dated *July*
'the 25th, 1713, and was anſwer'd *July* the 27th, by Lord
'*Bolingbroke*; the Copy was ſhown to Ldy *Maſham*, who
'came to viſit the Treaſurer then confin'd to his Chamber;
'and ſhe then thought it was a very good One, and what
'was proper for the Occaſion. I believe the Whole would
'be of Uſe to give Light to Her Maj. into the Ground and
'Foundation of *the Follies and Madneſs* which have ſince ap-
'pear'd; the Whole is ready for Her Majeſty's Peruſal
'when She pleaſes. In this Letter the Treaſurer gives an
'Account to Ld. *Bolingbroke* of the Occaſions, or rather the
'Pretences for giving Diſturbance to the *Queen's* Servants.
'He propoſes the Remedy, and what was requiſite to be
'done by him as Secretary in his own Province, and alſo
'Aſſurance of the Treaſurer's Aſſiſtance to the utmoſt, and
'of his Deſire to conſult with him (Ld. *Bolingbroke*) how to
'unite the reſt of our Friends. Being then Sick, the Trea-
'ſurer took the Liberty to put Ld. *Bolingbroke* in mind of
'the ſeveral Particulars which then requir'd Diſpatch, and

was

'was were ſolely belonging to his Province, without any o-
'ther Interpoſition than that of taking Your Majeſty's Dire-
'ction. Amongſt others, that of a Circular Letter upon the Ad-
'dreſſes of both Houſes relating to the Pretender. This was
'not done in Three Months. His Ldſhip wrote Word it was
'done *July* the 27th. In the ſame Letter the Treaſurer pro-
'pos'd, that (according to the Treaty of Peace) Care ſhould
'be taken of the following Particulars, *viz. Newfoundland*,
'*Hudſon's Bay*, *Acadia*, *St. Chriſtophers*, *Aſſiento*, and
'other things contain'd in the Treaties of Commerce.
'Theſe Particulars the Treaſurer thought to have been exe-
'cuted, until within a few Weeks he heard the contrary by
'Accident, and that the Time in the ſeveral Treaties was
'elaps'd. Upon this, the Treaſurer, on *Wedn. June* 2, told
'Mr. *Moor* of this, and that every body *would be liable to*
'*blame* who are in the Q's Service. *Thurſd. June* 3, 1714,
'Ld. *Bol-ke* writes to the Treaſurer a Letter, which begins
'thus: *Mr.* Moor *has been this Morning with me, and has put*
'*into my Hands a Paper, which he calls*, I think not improper-
'ly, a Charge upon me. This Paper contains the Neglect
'abovemention'd in the Treaſurer's Letter of *July* 25, 1713,
'11 Months before; and yet theſe Faults are now charg'd
'upon the Treaſurer.

Hereupon the Committee obſerve, that His Ldp. has here taken to himſelf the Credit of *correſponding by his own Hand, and his own Charge, in all the Courts concern'd in the preſent Negotiations, and that very often he has had the good Luck to ſet right ſeveral Miſtakes, and to obtain ſome things very little expected.* That he boaſted of his *laying hold of a ſeaſonable Opportunity in Parlia. upon rejecting the Bill of Commerce, to prevail with Members of that H. of Com. to come into the Payment of the Civil Liſt Debts*; *and has alſo charg'd ſeveral Perſons, then in High Stations in Her Maj's Service, with Corruption and Imbezilment of the Publick Money*; and preſum'd to recommend himſelf to Her Maj. *by having us'd all his Skill and Credit to keep the H. of C. from examining into the ſame.* And the Commit. having receiv'd Information, that large Sums of Money had been directed *for ſpecial Services relating to the War*, by Signs Manual, and Warrants upon the ſame, counterſigned by His Lp, which Sums were *afterwards paid to His Lordſhip's Order*; the Commit. thought fit to lay before the Houſe

Houſe Copies of the ſaid Signs Manual, and Warrants, and Orders thereupon.

The Committee having likewiſe obſerv'd ſeveral *Tranſactions*, *Orders*, and *Directions*, given by the Miniſters in the Q's Name, in no manner agreeable to Her Maj's Sentiments and Intentions, as expreſſed in her ſeveral *Meſſages* to *Parlia.* and *Speeches* from the *Throne*, concerning the Terms of Peace which ſhe was pleaſed to communicat to both Houſes; thought it their Duty to enter into a particular Examination of this Matter, and to compare *Her Maj's Declarations with* the *Meaſures that Her* Miniſters preſum'd to take in carrying on theſe impartant Negotiations. The firſt Time the Qu. made mention of the Peace to the Parliam. was *Dec.* 11, 1711; when nothing had been concluded between *Eng-d* and *Fr-ce*, but the *Special Preliminaries* ſign'd by the E. of *Dart-h*, and Mr. *St. J-n*, on the Part of *Eng-d*, and Mr. *Meſnager* on the part of *Fr-ce*, *Sept.* 27, 1711, and the *General Preliminaries* ſign'd by Mr. *Meſnager* only, which were ſent over by the E. of *Str-d* as the Foundation of a Gen. Peace. After theſe Preliminaries were ſign'd, Mr. *St. John* preſs'd Mr. *de Tor.* that the K. of *Fr-ce* would explain himſelf with regard to the Allies; and ſuch Explications as the King of *France* thought fit to make, are contain'd in the Anſwer to the Memorial brought by Mr. *Gaultier*, *Nov.* 18, 1711. Upon which Her Maj. at the Opening of that Seſſion, in laying before the Parl. the State of the Treaty then on Foot, ſaid, *That notwithſtanding the Arts of thoſe who delight in War, both Place and Time are appointed for opening the Treaty of a Gen. Peace. Our Allies, eſpecially the States Gen. whoſe Intereſt I look upon as inſeparable from my own, have, by their ready Concurrence, expreſs'd their Confidence in me.* The Q. thought the States had readily concurr'd with her, but it muſt be remembred, that the States had in the ſtrongeſt manner repreſented againſt the Propoſitions ſigned by Mr. *Meſnager*, as *too general* and *uncertain*, not being a *ſufficient Foundation* upon which a Negotiation might be hazarded; they dreaded the fatal Conſequences of opening the General Conferences, before the Articles offer'd by *Fran.* were made *ſpecifick*, and before they knew what they were to truſt to for their own Barrier and their Commerce. But inſtead of acquainting the Q. with theſe Repreſentations, or acting according to Her

Maj's Sentements, Mr. *St. J-n, Oct.* 9, declares, *Certain it is, that Her Majesty is so far determin'd in her Measures, that those will deceive themselves who may imagine by Delay to break them.* And *Oct.* 29, 'The Q. remains firm in her first Re-'solution, of causing the Conferences to be open'd upon the 'Articles sign'd by Mr. *Mesnager.* And *Nov.* 2. 'The *Q.* 'will not finally concert a Plan for the Prosecution of the 'War with the States, until they join with her in agreeing 'to open the Conferences of Peace. And *Nov.* 15, Lord '*Str-d* says, 'He had now told them Her Maj's Order to him 'was to declare, that she should look upon any Delay as a 'Refusal to comply with her Propositions. By these Threats and extraordinary Measures, the States are compell'd by the *Q*'s Ministers, to consent to open the Conferences; when at the same Time Her Maj. was perswaded, *that they readily concurr'd in what had been propos'd to them.* Her Maj. declares, *She looks upon the Interest of the Stat. Gener. to be inseparable from her own.* Mr. *St. J-n* declares, *That* Brit-n *had gone so much too far in weaving her Interest into that of the Continent, that it would prove no easy Task to disentangle them, without tearing and rending.*

The *Q.* says further, 'The Princes and States which have 'been engag'd with us in this War, being by Treaties intitled 'to have their several Interests secur'd at a Peace, I will not 'only do my utmost to procure every one of them all Reaso-'nable Satisfaction, but I shall also unite with them in the 'strictest Engagements for continuing the Alliance in order 'to render the Gener. Peace secure and lasting. And in her Message of the 17th of *Jan.* following, Her Maj. again expresses *the Care she intended to take of all her Allies, and the strict Union in which she propos'd to join with them.* By these Declarations it appears, Her Maj's own Resolution was to *unite with* the Allies *in the strictest Engagements.* But her Ministers had taken upon them, in the Private Propositions sent over by Mr. *Prior*, to insert an Article, *That the Secret should be inviolably kept between* Eng-d *and* Fr-ce, *till allow'd to be divulg'd by the Consent of both Parties.* And altho' *Fran.* had offer'd to treat with *Eng-d* and *Holl-d*, either separately, or jointly, with the rest of the All-s, at the Choice of *Eng-d*, the *Q*'s Ministers excluded the All-s, and in the Conference held with Monsieur *Mesnager*, *they are much surpriz'd to find that he had*

Orders

Orders to inſiſt, that the Q. ſhould enter into Particular Engagements, upon divers Articles, which depend not upon her, and which regard the Intereſt of the All-s: And they *inſiſted that it was abſolutely neceſſary to remit the Diſcuſſion of the particular Intereſts of the All-s to Gen. Conferences.* And when Mr. *St. John* was preſſing Mr. *de Tor.* to give them ſome Explications of what was deſign'd for the All-s, he aſſures him, *If the K. would offer a Plan of Specifick Preliminaries, the Q. will never communicate it to her Allies.* And upon another Occaſion, he declares, *This Negotiation was begun and carry'd on upon a Suppoſition, that the Q. muſt deſiſt from many Conditions, which in Rigour ſhe was oblig'd to procure for her Allies.*

In the Meſſage of *Jan.* 17, the Q declares, *Her Plenipo's had begun, in purſuance of their Inſtructions, to concert the moſt proper Ways of procuring a Juſt Satisfaction to all in Alliance with her, according to their Treaties, and particularly with relation to* Sp-n *and the* Indies. And Her Maj. had ſaid before, in Anſwer to an Addreſs from the Houſe of Lds, preſented *Dec.* 11, 1711, *I ſhould be ſorry any one could think I would not do my utmoſt to recover* Sp-n *and the* Ind. *from the Houſe of* Bourbon. The Committee cannot doubt but Her Maj. was determin'd *to recover* Spain *from the H. of* Bourbon: But that her Miniſters had no ſuch Thoughts, and did not in the leaſt endeavour it, appears in every Part of the Negotiation. In the Firſt Propoſitions ſent over by Mr. *Prior*, Demands are made of the K. of *Fr-ce*, to be perform'd by the King of *Sp-n*, which the K. of *Fr-ce* was to engage for. And as appears by an Entry in Ld *Str-d*'s Book, Mr. *Prior* had Orders to ſee if they had full Powers from *Sp-n.* In the *Special Preliminaries*, ſign'd by the E. of *Dartmouth*, and Mr. *St. J-n*; it is ſaid expreſly, *The K. promiſes in the Name of the K. of* Spain *his Grandſon, and according to the Powers which His Maj. has receiv'd from that Pr. That Port* Mahon *and* Gibralt: *ſhall remain to the* Eng ſh. Theſe Steps had been taken by the Q's Miniſters, even before Her Maj. had made theſe Declarations; which the Committee cannot therefore but conclude Her Maj. was not inform'd of. And altho' the Q's Plenipo's were oblig'd by their Inſtructions to inſiſt, *That* Sp-n *and the* W. Ind. *ſhould not be allotted to any Branch of the Houſe of* Bourb. when the Plempo's of *Fr-ce*, *Feb.* 11, 1711-12, gave in their ſpecifick Explanation of the *General Preliminaries*;

ſign'd by Mr. *Meſnager*, the K. of *Fr-ce* made his Firſt Offers in the Name, and by Virtue of Powers from his Grandſon K. *Philip*, as K. of *Sp-n*. *Mar.* 4, 1711-12, at a Meeting of the Miniſters of the Allies at *Utrecht*, C. *Sinzendorff* inſiſted, That the Reſtitution of the whole *Spaniſh* Monarchy ſhould be expreſly mention'd. Upon which Occaſion, it appears, by a Letter from the *Engliſh* Miniſters, *Mar.* 6, *That they were the only Miniſters that did not make any mention at all of* Sp-n, *and that they were ſenſible of the diſadvantageous Conſequences of being ſo.* All the Attempt that the Q's Miniſters ever made towards obtaining this great Point, which Her Maj. declares *ſhe ſhould be ſorry any one cou'd think ſhe did not do her utmoſt to procure*, was to demand Aſſurances that the Crowns of *Fr-ce* and *Sp-n* ſhould never be united. The Method of preventing this Union was never mentioned by the Qu's Miniſters in order to be treated of, nor the Senſe of *Fr-ce* and *Sp-n* ever ask'd upon it, till the latter End of *Mar.* 1712.

In this Meſſage Her Maj. further adds, 'The World will 'now ſee how groundleſs thoſe Reports are which have been 'ſpread abroad by Men of Evil Intentions, to ſerve the Worſt Deſigns, as if a Separate Peace had been treated, for , which there has not been the leaſt Colour given.

In this Declaration, Her Maj. is adviſ'd by her Miniſters, in order to clear them from the juſt Suſpicions which all the World had conceiv'd of the *ſeparate Meaſures* they were engaged in not only to declare *there* had *not been the leaſt Colour given* for ſuch Jealouſies, but to brand all that entertain thoſe Apprehenſions, with the Character of *Men of Evil Inclinations*, that had the *Worſt Deſigns to ſerve*. But that moſt juſt Cauſe hath *been given for* theſe *Reports*, is ſufficiently evident from what was juſt now obſerv'd. The Miniſtry had inſiſted 'That the Secret 'ſhould be inviolably kept between *England* and *France*, ex-'cluſive of all the Allies. A Separate Negotiation between '*England* and *France* had been carry'd on by Papers ſent back-'ward and forward, and much Time ſpent therein, as is ſaid in Ld *Strafford*'s Inſtructions. Mr. *Prior* had been ſent into *France*, and Mr. *Meſnager* had been in *England*, and not the leaſt Communication was given for Five Months together to any of the Allies of theſe Tranſactions, which were depending from *Apr.* 1711, to *Sept.* following. When the *General Preliminaries*

Preliminaries were sign'd, which were sent over as a Foundation to open the Gen. Conferences, a Set of *Special Preliminaries* between *Engd* and *Fr-ce* was sign'd on Both Parts, which were *conceal'd*, publickly *disown'd*, and *never appear'd till this Enquiry*; and all these Transactions had pass'd, however disguis'd to Her Maj. before the Time that Her Ministers advis'd the *Q. to impose so grosly upon the Nation*, as to declare in Parliam. *there* had *not been the least Colour even for these Surmises*. Her Maj. is advis'd to declare, 'That to report that 'a Separate Peace had been treated, proceeds from Evil Inten- 'Intentions, and to serve the Worst Designs. But the Commit. observe, That after this Declaration of the Q. Her Ministers propose to *Fr-ce*, agreed with *Fr-ce*, and sent positive and repeated Orders to the Qu's Plenipo's, not only to *treat*, but to *conclude a Separate Peace* with *Fr-ce*. *June* 20, 1712, Mr. *St. J-n* acquaints Mr. *de Torcy*, 'The *Q. will make no difficulty to conclude immediately a Separate Peace with* France, *leaving the Allies a Time wherein they may have Liberty to submit to such Conditions as shall be agreed upon between the Q. and the* Most Christian *K.* In Answer to this Mr. *de Torcy* tells Mr. *St. J-n*, *Upon Condition the Q. does immediately make a Separate Peace, and keep no Measures with her Allies, the K. has determin'd to send his Orders to permit the* Eng-sh *Troops to enter into* Dunk. *July* 12, 1712, Mr. *St. J-n* thinks 'the *Q.* in a Condition not to lose a Moment's Time in concluding 'with the Ministers of *Fr-ce* the Convention for a Gen. Sus- 'pension of Arms both by Sea and Land, and even the Treaty 'of Peace between *Brit.* and *Fr-ce*. And *August* 4, 1712, Mr. *de Torcy* acquaints Mr. *St. J-n*, 'That the K. consent- 'ed to the Duke of *Savoy*'s having *Sicily* upon certain Condi- 'tions; wherein one express Condition is, That a Peace be 'concluded between *England*, and *Fr-ce*, *Spain*, and *Savoy*. And at last, when the Treaty drew near to a Conclusion, and almost all the Allies were ready to sign, *Febr.* 20, 1712-13, positive Orders are sent to the *Brit.* Plenipo's to conclude and sign with *Fr-ce*; and on the 28th Ld *B-ke* repeats those Orders. The Committee close this Head with repeating a Passage from one of Ld *B-kes* Letters to Mr. *Prior*, wherein he says, 'If such Overtures as these were not instantly accepted, 'our Separate Peace would, sitting this Parliam. be address'd

'for,

'for, made, approv'd, and the Cauſe of *France* for once be-
'come Popular in *Great Britain*.

On the 6th of *June*, 1712, the Queen ſays, *I am now come to let You know upon what Terms a General Peace may be made.* On the ſame Day, Ld. *Bolingbroke* acqaints Monſieur *de Torcy*, 'That tho' the K. of *France* had not anſwer'd the 'Queen's Demands, according to expectation, the Queen 'would not defer going that Day to Parliament, and making 'all the Declarations that were neceſſary to render the Nati-'on unanimouſly inclined to the Peace.

The Queen ſays, *The Difficulties had been increas'd by other Obſtructions, artfully contriv'd to hinder this great and good Work*: Whereas it is notorious, that the Miniſters had receiv'd but the Day before, the Account that King *Philip* had conſented to make the *Renunciation*, upon which Account only the Queen's ſpeaking to the Parliament had been defer'd.

The *Queen* ſays, *I have not omitted any Thing which might procure to all our Allies what is due to them by Treaties, and what is neceſſary for their Security.* Ld. *Bolingbroke*, on the very ſame Day, in his Letter to Monſ. *de Torcy* ſays, 'Lord '*Strafford* is going back to *Utrecht*, and in the Inſtructions he 'is to carry will put the *Queen*'s Plenipo's in a Condition to 'keep no longer thoſe Meaſures to which they have hitherto 'been obliged to ſubmit; but from henceforth they may o-'penly join with thoſe of *France*, and give Law to them who 'will not ſubmit to juſt and reaſonable Conditions.

The *Queen* ſays, *Nothing has mov'd me from ſteadily purſuing in the firſt Place the true Intereſt of my own Kingdoms.* Ld. *Bolingbroke* juſt before, on the 24th of *May*, had propos'd to Monſ. *de Torcy*, 'That the *Queen* being much more 'intent upon the General Peace, than any particular Advan-'tages, Commiſſaries ſhould be appointed to ſettle after the 'Peace, ſuch Points relating to Trade, as requir'd a longer 'Diſcuſſion than the preſent Criſis would admit.

The *Queen* ſays, *That to prevent the Union of the two Crowns, ſhe would not be content with what was Speculative, but inſiſted upon ſomething Solid*: Altho' Monſ. *de Torcy* had before declar'd to the *Queen's* Miniſters, 'That to accept of 'this Expedient which they propos'd would be to build up-'on a Sandy Foundation.

The

The *Queen* says, *The Nature of the Proposal for a Renunciation is such, that it executes it self*; *and that* France *and* Spain *are thereby more effectually divided than ever.* But Monsr. *de Torcy* had before assur'd the *Queen*'s Ministers, That 'this Renunciation would be null and void, by the 'fundamental Laws of *France*; and they would deceive 'themselves who accepted of it as an Expedient to prevent 'the Union of the Two Crowns.

The *Queen* says, *Provision is made, that the same Privileges and Advantages as shall be granted to any other Nation by* France, *shall be granted in like manner to Us.* But it appears, by a Letter of Ld. *Bolingbroke*'s in *January* following to the D. of *Shrewsbury*, That *France* refus'd to let our Trade stand upon the Foot of *Gens amicissima*; declar'd the Tariff of 1664, which was granted to the *Dutch*, except the Four Species, *was too Beneficial for Us*; and refus'd to grant it until another Tariff should be made in *Great Britain* exactly conformable to that of 1664. whereby our Duties would be reduced as theirs are in *France* by that Tariff.

As to our Commerce with *France*, the *Queen* says here, *June* the 6th 1712. *It was in a Method of being settled.* And Mr. *Prior* says of it in *May* following, near a Twelvemonth after, 'We had like to have made an *Athanasian* Business of 'it at *Utrecht*, by that Explanation of our own Way of 'understanding our own Commerce. Their Letters to you 'full of Surmises and Doubts, that all was unhinged; and 'their Letters to Us again, That Explanations, however 'made, were only to save Appearances, and signified no-'thing: This *Melange*, I say, and my endeavouring to under-'stand it, had like to make me run mad, if the Duke of '*Shrewsbury*'s extreme good Sense, and Monsr. *de Torcy*'s not 'not only Honest, but Right Understanding, had not re-'dress'd Us.

The *Queen* says, *The* French *consented to deliver up* Newfoundland *and* Placentia. But it must be remembred, That in the Preliminaries sign'd in *September* preceding, the *French* had reserv'd to themselves *a Liberty of taking and drying Fish in* Newfoundland.

The *Queen* says, *An absolute Cession was to be made of* Nova Scotia, *or* Acadia. But Cape *Breton*, which was always understood to be, and is so declar'd by the *Queen*'s Instructions

ctions to the D. of *Shrewsbury*, to be Part of *Nova Scotia*, is expreſly given up to *France*.

The *Queen* ſays, *The Trade to* Spain *and the* Weſt Indies *may in general be ſettled, as it was in the Time of the late King of* Spain, Charles *the Second*. But when the Project of the Treaty of Commerce came from *Madrid*, Lord *Bolingbroke* ſays of it, 'They had ſent a Blind, Lame, Miſhapen, Indi-'geſted Monſter, inſtead of that fair Offspring which we 'had reaſon to expect from our Candour.

The Committee obſerve, That if all the other Parts of this Speech be ſtrictly examin'd, it will be found that the that the Miniſtry did *ſo groſly deceive the Queen*, in order to impoſe upon the Parliament by her Authority, that there is ſcarce a Paragraph that does not contain ſome *unfair*, or at leaſt *equivocal Repreſentation of the State of the Negotiations*. And when the *Queen* was adviſ'd by her Miniſters to make this Communication to Parliament, as the Terms upon which a General Peace might be made, it is very evident, they had no Aſſurances that *France* would make good what they prevail'd upon the *Queen* to declare in ſo ſolemn and publick a Manner. For on *June* the 11th, the Biſhop of *Briſtol* is directed by Mr. St. *John* to *Diſcourſe with the Miniſters of the Allies agreeably to the Plan contain'd in Her Majeſty's Speech*: But before his Lordſhip makes this Step, Mr. St. *John* tells him, 'It will be proper that he ſpeaks firſt with 'the *French* Plenipotentiaries upon this Subject; whether 'they will be will be willing, and in what manner they will 'be willing, to give this Communication to the Allies. In anſwer to which, the Biſhop of *Briſtol* writes word, *June* the 28th. *that the* French *Plenipotentiaries declar'd they had no ſuch Orders, and without them they could not do it*; And in this Refuſal of owning the *Queen's* Speech, as containing the Maſters Offers, and in abſolutely denying to treat upon it, the *French* Plenipotentiaries perſever'd, even after the *Dutch* had conſented to treat upon that Plan, and to accept the *Queen's* Speech *pro Materia tractandi*.

The Committee having proceeded thus far in the Peruſal and Examination of the Books and Papers referred to them, thought it not proper to defer this Report until they had perfected what remains, eſpecially upon the Affairs of Dunkirk *and the* Aſſiento.

On

On *Friday* the 10th of *June*, the Commons resumed the adjourn'd Consideration of the Report from the Committee of *Secrecy*, and the rest of the Report being read, (which lasted till about Four a-clock in the Afternoon) Sir *Thomas Hanmer* moved, That the Consideration of the said Report be adjourn'd until *Monday* next following Seven night; and was seconded by the leading Men among the *Tories*, who moved also, that the said Report be printed, to be perused by all the Members of the House. Hereupon Mr. *Robert Walpole* said, 'He could not 'but wonder, that those Gentlemen, who had 'shew'd so great Impatience to have the Report 'laid before the House, should now press for 'Adjourning the Consideration of it. That as 'for the Committee of *Secrecy*, as they had not 'yet gone through all the Branches of their '*Inquiry*, they could have wish'd some longer 'Time had been allow'd them to peruse and 'digest several important Papers. That in or-'der to that, they would have deferr'd three 'Weeks or one Month, the laying their Re-'port before the House, but that some Gentle-'men having reflected on the pretended Slow-'ness of the Committee, since the said Report 'was now before them, they must e'en go through 'with it.' General *Stanhope* added, 'That for 'his own Part, he would readily agree to give 'those Gentlemen all the Time they could de-'sire to consider of the *Report*; but that since 'they themselves had precipitated this Affair, 'he was of Opinion they ought to prosecute 'it with Vigor, lest, by stopping on a sudden, 'they should fortify the Notion, which the 'Friends of the late Ministry had, with great 'Industry, propagated among the People, that '*the Report of the Committee of Secrecy would* '*vanish into Smoke*: The rather, because these 'malicious Insinuations had raised the Spirits 'and Insolence of the Disaffected, and were

Debate about the Adjourning the Consideration of the Report.

'the principal Cauſe of the preſent Ferment a-
'mong the giddy Multitude. That he agreed
'with the Member who had moved for the
'Printing of the Report, that not only the
'Houſe, but the whole World might be con-
'vinc'd of the Fairneſs and Impartiality of
'their Proceedings: But that the Crimes of
'ſome Perſons named in the Report were ſo
'obvious to every Body, that they ought, in
'his Opinion, immediately proceed to the Im-
'peaching of them." The *Tories* ſtill endea-
vour'd to put off the *Evil Day*, and ſome pro-
poſed the Adjourning of the Debate till that
Day Seven night; and others would have been
contented to deferr it for Three Days only,
viz. to the *Monday* following: But the Court
were ſtaunch and reſolute againſt all Delays;
and the Queſtion being put about ſeven a-clock
in the Evening, on the Motion made by Sir
Thomas Hanmer, was carried by in the Nega-
tive by 280 Voices againſt 160. This Point
being gain'd, Mr. *Walpole* ſaid, 'He made no
'Queſtion, that, after the Report had been
'twice read, the whole Houſe was fully con-
'vinc'd, that *Henry* Lord Viſcount *Bolingbroke*
'was guilty of *High-Treaſon, and other High-*
'Crimes and Miſdemeanours. That therefore,
'he impeach'd him of thoſe Crimes: But if any
'Member had any Thing to ſay in his Behalf,
'he doubted not but the Houſe was ready to
'hear him.' Hereupon, the *Tories* look'd one
another in the Face; and there was, for ſome
Minutes, a deep Silence in the Houſe. Mr.
Hungerford broke it with ſaying, 'That in his
'Opinion, nothing was mention'd in the Report
'in Relation to the Lord *Bolingbroke*, that a-
'mounted to High-Treaſon;' And General *Roſs*
ſaid, 'He wonder'd no Body ſpoke in favour
'of my Lord *Bolingbroke*: That, for his own
'Part, he had nothing to ſay at preſent; but
'reſerved to himſelf to ſpeak in a properer Time.

The Lord Bolingbroke *impeach'd of H. Treaſon.*

The

The Reſolution for Impeaching *Henry*, Lord Viſcount *Bolingbroke* of *High-Treaſon* and other *High-Crimes* and *Miſdemeanours*, being paſs'd; and Candles brought in, according to Order, the Lord *Coningsby*, ſtood up and ſaid, 'The 'Worthy Chairman of the Committee has im-'peach'd the *Hand*, but I do impeach the *Head*; 'He has impeach'd the *Clerk*, and I the *Juſtice*; 'He has impeach'd the *Scholar*, and I the *Maſter*: And ſo impeach'd *Robert*, Earl of *Oxford* and Earl *Mortimer* of *High-Treaſon*, and other *High-Crimes* and *Miſdemeanours*. Hereupon Mr. Auditor *Harley* made a long pathetick Speech; wherein he endeavour'd to juſtify his Brother, 'as having done nothing but by the 'immediate Commands of the late Queen; ur-'ging, that the Peace was a good one; and ap-'proved as ſuch by Two Parliaments; And 'ſuch Threadbare Topicks: Concluding, 'that the Facts mention'd in the Report, and 'which were charged on the Earl, could not 'be conſtrued to amount to *High-Treaſon*, but 'only in ſtrict Rigor, to *Miſdemeanours*.' He was back'd by Mr. Auditor *Foley*, the Earl's Brother-in-Law, who complain'd of the Hard-ſhip put upon that Nobleman, in Charging him with *High-Treaſon*, before they had examin'd the Report: But what was yet more favourable for the Earl, was ſpoke by Sir *Joſeph Jekyll*, one of the *Committee of Secrecy*, who ſaid, 'That 'as to the Lord *Bolingbroke* they had more than 'ſufficient Evidence to convict him of High-'Treaſon, upon the Statute 25. *Edw.* III. But 'that as to the Earl of *Oxford*, he doubted 'whether they had either ſufficient Matter, or 'Evidence to impeach him of Treaſon.' But another honourable Member of the *Committee of Secrecy* having aſſured the Houſe, That *beſides what had appeared before them, and was mention'd in the Report, they had other Evidence*, Viva voce: It was likewiſe reſolv'd without

dividing, 'That this House will impeach *Robert* 'Earl of *Oxford* and Earl *Mortimer* of *High-* 'Treason, and other *High-Crimes* and *Misde-* 'meanours;' And *Ordered*, 'That it be referr'd 'to the Committee of Secrecy, to draw up Ar- 'ticles of Impeachment and prepare Evidence 'against *Henry*, Viscount *Bolingbroke*, and *Robert* 'Earl of *Oxford* and Earl *Mortimer*.' After this it was order'd likewise, that the further Consideration of the said Report be adjourn'd to that Day Seven night; and that the said *Report*, with the *Appendix*, be printed.

The Earl of Oxford *impeach'd of* H. Treason.

The next Morning the Earl of *Oxford* went to the House of Peers, and, at first appear'd pretty Serene and Unconcerned: but finding that most Members avoided sitting near him; and that even the Earl *P---t* was shy of exchanging a few Words with him, he was dash'd out of Countenance, and retired out of the House. The same * Day, the Commons *ordered*, 'That Mr. 'Speaker do send a printed Copy of the Re- 'port from the Committee of Secrecy to the 'Sheriff of every County, and to the Returning 'Officer of every City and Borough sending 'Members to Parliament:" And, indeed, the Prepossessions of the People in favour of the *late Managers* were so strong, and so *general*, that nothing less than this *Report* could have been able to dissipate their Infatuation, by laying open, as it does as clear as the Sun in its Meridian, an unparallel'd Scene of *Folly*, *Villainy* and *Treachery*.

* June 11th.

On *Wednesday*, the 15th of *June*, Mr. *Walpole*, from the Committee of Secrecy, acquainted the House, 'That he was directed by the Com- 'mittee to move the House, that the Persons 'taken into Custody (pursuant to the Order 'of the House of the 9th Instant) might be ex- 'amin'd in the most solemn manner, according 'to former Precedents:" Upon which it was *ordered*, 'That such Members of the Committee

Order for examining Mr. Prior *and* Mr. Harley.

of

'of Secrecy who are Juſtices of the Peace for 'the County of *Middleſex* ſhould examine 'Matthew Prior, Eſq; and *Tho. Harley*, Eſq; 'at the ſaid Committee, touching Matters con-'tain'd in the ſeveral Books and Papers referr'd 'to them.

Two Days † after, Mr. *Walpole* acquainted the Houſe, 'That (purſuant to their Order) '*Matthew Prior*, Eſq; had been, the Day before, 'examin'd before the Committee of Secrecy, 'and during a long Examination there appear'd 'Matters of ſuch Importance, that the Com-'mittee had directed him to move the Houſe, 'that he might be confined in cloſe Cuſtody, 'and no Perſon permitted to come to him: Upon which it was *ordered*, *That* Matthew Prior, *Eſq*; (*now in Cuſtody of the Serjeant at Arms*) *be confined in cloſe Cuſtody, and no Perſon permitted to come to him without Leave from Mr.* Speaker. This Order occaſion'd various Reports: Some affirm'd, That the Earl of *Oxford* had been Three Hours in cloſe Conference with Mr. *Prior*, and had ſo effectually tamper'd with him, that he was more ſhy and reſerved in anſwering Queſtions, than he had been before; And others pretended, That Mr. *Prior* had himſelf diſcover'd to ſome Members of the Secret Committee the Endeavours which had been uſed to take him off; and had deſired to be cloſe confined, to prevent the like for the future. Be that as it will, the ſame * Day that Order was made, Printed Copies of the *Report* from the *Committee* of *Secrecy* were deliver'd to the Members of Both Houſes: Upon which Mr. *Bromley* moved *that the further Conſideration of the ſaid Report* be adjourn'd till *Tueſday* the 21ſt of *June*, that the Members might have Time to peruſe the ſaid Report: Which was *ordered* accordingly.

† June 17th.

Mr. Prior *order'd to be confin'd in cloſe Cuſtody.*

* June 17th.

All

Various Reports about the Duke of Ormond.

All this while there were various Reports concerning the Duke of *Ormond*, who having been the principal Inſtrument of the *late Miniſters*, and, next to them, lying moſt open to an Accuſation, was therefore moſt likely to be next impeach'd. Some gave out, That one of his noble Relations had interceded for him with the King, and even perſuaded his Grace to write a ſubmiſſive Letter to His Majeſty, *deſiring a favourable Interpretation of his former Actions, and imploring his Maj's Clemency.* They who really wiſh'd well to his Grace, notwithſtanding his late Errors, were in hopes, He would have purſued that wholeſome Counſel: But they ſaw with Regret, that his Grace's *pretended Friends* ſtill hurry'd him on to a *Precipice*, by endeavouring to make him the *Darling* of the *Populace*. To this Purpoſe we may take Notice, That about the middle of *June* the following *printed Advertiſement* was diſpers'd with great Induſtry, *viz.*

'ON *Tueſday*, the 7th of this Month, Her 'Grace the Dutcheſs of *Ormond*, in 'her Return from *Richmond*, was ſtopp'd in 'her Coach by Three Perſons well mounted, 'and well arm'd, in Diſguiſe, who enquir'd if 'the Duke was in the Coach, and ſeem'd to have 'a Deſign upon his Life if he had been there. It 'has been obſerv'd, that many Perſons arm'd, 'and diſguis'd in the like Manner, have been 'watching by Day and by Night upon that Road, 'on each Side of the Water, and it is not to 'be doubted, with a *Deſign to aſſaſſinate His 'Grace.*

'Tis plain, that ſuppoſing the Fact ſet forth in this *Advertiſement* to be true, the Conſequence which was drawn from it, *viz.* a *Deſign to aſſaſſinate His Grace*, was not only *ſtrain'd* and *inconcluſive*, but alſo a moſt dangerous Inſinuation, calculated to feel the Pulſe, and raiſe the Fury of the *Mobb* againſt His Grace's *ſuppoſed Enemies*.

The

The Folly and Madneſs of his Grace's *pretended Friends*, in ſetting up his Name as a *ſignal* for *Riots* and *Tumults*, could not but alarm the Government; and, perhaps, provoked the H. of Commons to proceed againſt him ſooner, and with more Vigour, than they would otherwiſe have done. Be that as it will, On *Tueſday*, the 21ſt of *June*, the Houſe having, according to order, conſider'd further of the *Report* from the *Committee of Secrecy*, Mr. Secretary *Stanhope*, ſtood up and ſaid, 'He wiſh'd he were not o-'bliged to break Silence on that Occaſion; but 'that as a Member of the *Secret Committee*, and 'of that great Aſſembly, which ought to do 'the Nation Juſtice, he thought it his Duty to 'impeach *James* Duke of *Ormond* of *High Trea-* *General Stan-*
'*ſon*, and other *High Crimes* and *Miſdemea-* *hope im-*
'*nors*;' And was Seconded by Mr. *Boſcawen*, *peaches the D.*
Comptroller of his Majeſty's Houſhold. Here- *of* Ormond.
upon *Archibald Hutchinſon* Eſq; one of the Commiſſioners of Trade, made a long Speech in behalf of the Duke of *Ormond*, wherein he ſet forth 'his NobleBirth and Qualifications; and 'thegreatServices which both he and his Illuſtri-'ous Anceſtors had perform'd to the Crown and 'Nation; urged, That in the whole Courſe of 'his late Conduct he had but obey'd the late '*Queen*'s Commands; and concluded, That if 'all that was alledged againſt his Grace in the 'Report could be made out, it would in the 'Rigour of the Law, amount to no more 'than *High Miſdemeanors*.' This Speech, made a great Impreſſion on the Aſſembly; and Mr. *Hutchinſon* was ſeconded by General *Lumley* who ſaid among other Things, 'That the Duke of *Ormond* had on all Occaſi-'ons given ſignal Proofs both of his Affection and 'Love for his Country, and of his Perſonal 'Bravery and Courage, particularly at the Bat-'tle of *Landen*, where he was Wounded and 'taken Priſoner; and that the late King *William*

was

'was extremely satisfied with his Grace's Gallant 'Behaviour. That his Grace had generously 'expended the best Part of his Estate in the 'Wars, Living in a most Noble and Splendid 'manner, for the Honour of his Country; 'That therefore in consideration both of his great 'Services, and his Illustrious Relations, if he 'had of late been so unfortunate as to fail in any 'Part of his Conduct, they ought not to pro-'ceed against him with the utmost Rigour of 'the Law; The rather because he ever meant 'well, and was drawn into ill Measures by 'crafty Ministers.' Sir *Joseph Jekyll*, spoke likewise in favour of the Duke of *Ormond*: He said, 'That if there was Room for Mercy he 'hoped it would be shewn to that noble, gene-'rous, and couragious Peer, who, for many 'Years, had exerted those great Accomplish-'ments for the Good and Honour of his Coun-'try; That, if, of late, he had the Misfortune 'to deviate from his former Conduct, the Blame 'ought not, in Justice and Equity be laid to him, 'but to them principally, who abusing his Affe-'ction, Loyalty, and Zeal for the Service of 'his Royal Mistress had drawn him into perni-'cious Counsels; That therefore, as the Statute 'of the 25th *Edw.* III. on which the Charge of '*High Treason* against his Grace was to be 'grounded, had been mitigated by subsequent 'Laws, the House ought not, in his Opinion, 'take Advantage of that Act against the Duke, 'but only impeach him of High Crimes and 'Misdemeanors. Sir *Joseph* added, (in the 'Course of this Debate) That some Persons en-'deavour'd to aggravate the Duke of *Ormond*'s 'Faults, by charging upon him the Riots and 'Tumults which the Populace committed daily 'in many Places; But that he durst averr, that 'his Grace did no ways countenance those dis-'orders; and if the Disaffected made use of his 'Name, unknown to Him, his Grace ought not

to

'to suffer for it.' General *Ross* laid great stress upon Sir *Joseph Jekyll*'s Opinion; and said all he could in his Commendation, and the Duke's Defence. Sir *William Wyndham*, *Thomas Onslow* Esq; Mr. *Ward*, Mr. *Hungerford*, and some other Members of both Parties, spoke also on the same Side: But Mr. *Lyddal*, (a young Gentleman of bright Parts, who spoke this first Time with great Deliberation and Applause) Mr. *Hampden*, and Mr. *Thompson*, Recorder of the City of *London*, did strongly support General *Stanhope's* Motion; answer'd all that had been alledg'd in the Duke's Favour; and among other Things, represented, 'That he e-'ver affected Popularity; That he could not be 'ignorant of the *Tumults* and *Riots* of which his 'Name was the *Signal*; and that since he did 'not publickly disown them, who made use of 'his Name, his Silence was a tacit Approbation 'of their Proceedings, and seem'd to summon 'the People to a general Insurrection.

Sir *Edward Northey*, Attorney General, did not disown, but that in the Report of the Committee of Secrecy there were some Matters on which an Impeachment of High-Treason might be grounded against the Duke of *Ormond*; but did not think it proper to explain himself further, on that Occasion. Mr. *Lechmere* Solicitor General, spoke plainer: and mention'd a Case parallel to the Duke's, which had been adjudg'd *Treason*. By this Time, the Debate had lasted from about one, till near Nine in the Evening; and a Motion that was made for adjourning, being waved, Candles were order'd to be brought in; which being done accordingly, the Debate was prolonged till about half an Hour past Ten, when the question was put and resolv'd by a Majority of 234 Voices against 187, 'That this House 'will impeach *James* Duke of *Ormond* of *High-Treason*, and other *High Crimes* and *Misde-meanors*.' After which it was order'd, 'That

The D. of Ormond im-peach'd of High Treason.

'it be referr'd to the *Committee of Secrecy*, to 'draw up Articles of Impeachment, and prepare 'Evidence againſt *James* Duke of *Ormond*; and 'that the further Conſideration of the ſaid Re'port be adjourn'd to the next Morning.' It was obſerv'd that ſcarce any Debate was managed in that Houſe with more Calmneſs and Decency than this about the Duke of *Ormond*; not an angry or paſſionate Word having dropt from any that ſpoke for or againſt his Grace. It was likewiſe obſerv'd, that many *Whigs* and *Courtiers* went out of the Houſe, to avoid giving their Votes; which they could not do without either wronging their Conſciences, or doing Violence to the *Tenderneſs* and *Affection* they bore to that *unfortunate* Nobleman.

† June 22d. The next † Day, the Commons reſumed the Conſideration of the Report from the Committee of Secrecy, and Mr. *Aiſlaby*, Treaſurer of the Navy, who ſpoke firſt, took notice of the 'general Concern, that had appeared the Day be'fore in the Houſe, for the noble Perſon that was 'impeach'd; becauſe they were perſuaded 'twas 'rather through *Weakneſs* than *Malice*, that he 'had follow'd Pernicious Counſels: But that in 'his Opinion, few, if any, would ſpeak in Fa'vour of another Lord, whom he was to im'peach. That the Perſon he meant was *Thomas*, 'Earl of *Strafford*, one of the Plenipotentiaries 'of *Great Britain*, at the Congreſs at *Utrecht*; 'whoſe Conduct had been vaſtly different from 'that of his Colleague, the preſent Biſhop of '*London*. That this good and pious Prelate 'ſeem'd to have been put at the Head of that 'Negotiation, only to palliate the Iniquity of it, 'under the Sacredneſs of his Character; but was 'little more than a Cypher in the Abſence of the 'Earl of *Strafford*. That the Biſhop not being 'in the Secret, had acted with Reſerve and Cau'tion, and would do nothing without the 'Queen's ſpecial Commands: Whereas the Earl

'of

'of *Strafford* not only was forward to *venture and* 'undertake any thing (as he expreſſes himſelf in 'one of his Letters) to be the Tool of a *Frenchi-*'fy'd Miniſtry; but in many Inſtances had gone 'beyond his Inſtructions, and adviſed the moſt 'Pernicious Meaſures. That having impartially 'weigh'd the different Conduct of theſe Two 'Miniſters, he was glad that nothing could be 'charg'd upon the Biſhop, which gave them an 'Opportunity to convince the World, *That the* 'Church is not in Danger: But moved that 'Thomas, Earl of *Strafford* be impeach'd of *High* 'Crimes and Miſdemeanors.' Mr. *Aiſlaby* afterwards enlarg'd upon this Charge, which he reduc'd to Three Principal Heads, *viz.* '1ſt, 'The Earl of *Strafford*'s adviſing the *fatal Suſ-*'penſion of Arms; which was ſoon after attended 'with ſeveral Misfortunes that befel the Allies; 'and, at laſt, reduced them to the Neceſſity of 'ſubmitting to the Terms of an Unſafe, Diſho-'nourable Peace. 2*dly*, Adviſing the Seizing of 'Ghent and *Bruges*, in order to diſtreſs the Al-'lies, and favour the Enemy. And 3*dly*, The 'Inſolence and Contempt with which he had 'treated the Moſt Serene Houſe of *Hanover*, and 'their Generals and Miniſters.' Mr. *Bailie*, a *Scotch* Member, having ſeconded Mr. *Aiſlaby*, Sir *William Wynham* endeavour'd to juſtify the Earl of *Strafford*, as to the Firſt Head, by ſaying, 'That the Peace, which was but the Se-'quel and neceſſary Conſequence of the *Suſpen-*'ſion of Arms, had been approved as ſuch by 'Two ſucceſſive Parliaments, and declared *ad-*'vantageous, ſafe, and honourable. Mr. *Shippen*, Mr. *Ward* (the Lawyer) and Mr. *Snell*, ſpoke alſo in Favour of the Earl of *Strafford*; as did alſo Mr. *Hungerford*, who, among other things, ſaid, 'That tho' the Biſhop 'of *London* had an equal Share with the Earl of 'Strafford in the Negotiation of Peace, he was, 'it ſeems, *to have the Benefit of his Clergy.*' Ge-

neral *Roſs* having likewiſe ſaid ſomething to excuſe the *Suſpenſion* of Arms, General *Cadogan* anſwer'd him briskly; and ſhew'd, 'That conſidering the Situation of both Armies, the Confederates loſt the Faireſt Opportunity they ever had in *Flanders* to deſtroy the Enemy's Army, and to penetrate into the very Heart of *France*: But added, 'That nothing leſs could be expected from a Princeſs, and a Miniſtry, who had entirely deliver'd themſelves into the Hands of *France*. Sir *James Campbel* ſpoke alſo againſt the Earl of *Strafford*: But the Member who diſtinguiſh'd himſelf moſt in this Debate was Sir *James Dalrimple*, another *Scotch* Member, who with great Clearneſs and Solidity, ſumm'd up what had been ſaid on Both Sides; and having illuſtrated the preſent Caſe by parallel Inſtances, and proper Obſervations, ſhew'd that both by the *Civil* and *Statute Laws* the Earl of *Strafford* was, at leaſt guilty of *High Crimes and Miſdemeanors*. Hereupon, about Seven a-clock in the Evening, the Queſtion was put, and (by a Majority of 268 Voices againſt 100) reſolved, *That this Houſe will impeach* Thomas, *Earl of* Strafford, *of* High Crimes *and* Miſdemeanors; and *order'd*, 1*ſt*, 'That it be referr'd to the 'Committee of Secrecy to draw up Articles of '*Impeachment*, and prepare Evidence againſt the 'ſaid Earl.' And 2*dly*, 'That the further Con'ſideration of the ſaid Report be adjourn'd to 'that Day Sevenight:' When it was further adjourn'd for a Week longer.

The Earl of Strafford *impeach'd of* High Crimes and Miſdemeanors.

On *Thurſday*, the 7th of *July*, Mr. *Walpole*, from the *Committee of Secrecy*, acquainted the Houſe, 'That the Committee had, in Obedience 'to the Commands of the Houſe, prepared *Arti'cles of Impeachment* for *High Treaſon*, and other '*High Crimes* and *Miſdemeanors*, againſt *Robert*, 'Earl of *Oxford*, and Earl *Mortimer*; and that 'the Committee had commanded him, at the 'ſame Time to acquaint the Houſe, that they

'ſhould,

'ſhould, in a ſhort Time, have further Articles 'to lay before the Houſe againſt the ſaid Earl; 'and that the Committee had directed him to re-'port the *Articles* (already prepared) to the 'Houſe.' And he read them in his Place, and afterwards deliver'd the ſame in at the Table, where they were once read.

Articles of Impeachment againſt the E. of Oxford, *laid before the Commons.* July 7.

After this it was moved by a *Tory* Member, that the further Conſideration of the ſaid Articles be adjourn'd to that Day Sevennight; but it was carry'd without dividing, and order'd, That the ſaid Report be read a ſecond time the next Day. Accordingly, on the 8th of *July*, the Firſt Ten of the *Articles of Impeachment* againſt *Robert*, Earl of *Oxford* and Earl *Mortimer*, were read a 2d Time; and upon the Queſtion ſeverally put thereupon (with Amendments to ſome of them) there was a long Debate from Two till Eight in the Evening, when they were agreed to, by a Majority of 280 Voices, againſt 125. Then a Motion being made and the Queſtion put, That the further Conſideration of the ſaid Report be adjourn'd till the next Morning, the ſame was carry'd in the Negative, by 247 Votes againſt 139. Hereupon the XIth Article was read a Second Time, and amended by the Houſe; and, after Candles had been brought in, there aroſe a great Debate, upon the Queſtion, whether the ſaid Article was *High-Treaſon?* Sir *Robert Raymond*, formerly Sollicitor General, *William Bromley*, Eſq; Sir *William Wyndham*, the Auditors *Harley* and *Foley*, Mr. *Ward*, and Mr. *Hungerford*, (who had already ſpoke in favour of the Earl of *Oxford*) maintain'd the Negative: And were ſtrongly Supported by Sir *Joſeph Jekyll*, one of the Committee of Secrecy. The latter ſaid, among other Things, 'That 'it was ever his Principle to do Juſtice to every 'Body, from the Higheſt to the Loweſt, being 'perſuaded, That it was the Duty of an honeſt 'Man never to act by a Spirit of Party. That

Debate about them. July 8.

'he

'he hoped he might pretend to have ſome 'Knowledge of the Laws of the Kingdom; 'and as in the *Committee of Secrecy* he had ta- 'ken the Liberty to differ from his Colleagues, 'he would not ſcruple to declare now to the 'Whole Houſe, that, in his Judgment, the 'Charge in Queſtion did not amount to *High-* '*Treaſon.*" Moſt of the other Members of the *Committee of Secrecy* were offended at this Speech, which both *revealed* and *cenſured* their Proceedings: And thereupon Mr. *Walpole* anſwer'd, with ſome Warmth, 'That there were both in, 'and out of the *Committee of Secrecy* ſeveral 'Perſons, who did not, in the leaſt, yield to 'the Member that ſpoke laſt, in point of *Ho-* '*neſty*; and who, without derogating from his 'Merit, were Superior to him in the Know- 'ledge of the Laws; But who, at the ſame Time, 'were Satisfied that the Charge ſpecified in 'the XIth Article amounted to Treaſon." Mr. *Walpole* was back'd by Generel *Stanhope*, the Lord *Coningsby*, General *Cadogan*, Mr. *Boſcawen*, and Mr. *Aiſlaby*; And the Eleventh Article being amended, the ſame was agreed to by the Houſe, by a Majority of 247 Votes againſt 127. It is obſervable, That Mr. Auditor *Harley* endeavour'd to juſtify his Brother, *Firſt*, By urging that he ever acted by the late Queen's poſitive Commands; to prove which he offer'd to produce Two Letters from Her Majeſty; and *2dly*, The Neceſſity of making a Peace. Having, upon this Occaſion advanc'd, That the *Dutch* prolong'd the War, and that their Deputies in the Army had often prevented the giving the Enemy a Deciſive Blow: General *Cadogan* anſwer'd him very ſmartly; ſhew'd that the *Dutch* were more concern'd than any Prince or State in the Grand Alliance to put an End to the War; and undertook to prove, That there had not been any Campaign in *Flanders*, except that in which the Duke of

Ormond commanded, that was not mark'd, and famous to all Posterity, for some signal and glorious Event, to the Advantage of the Common Cause. Then the rest of the Sixteen Articles were severally read a Second Time, and with Amendments to some of them, agreed unto by the House, who *Ordered*, First, *That the said Articles beengrossed*; Secondly, *That a Clause be prepared saving Liberty to the Commons to exhibit any further Articles against the said* Robert *Earl of* Oxford *and Earl* Mortimer; *and that he may be sequestred from Parliament, and committed to safe Custody.* This Clause was, according to Order, offer'd the next * Day, to the House; and being twice read, and agreed to, was order'd to be ingrossed with the Articles of Impeachment. Whilst this was doing, the Commons, order'd Mr. *Comptroller* to go to the Lords with a Message, to desire that their Lordships would continue Sitting some Time; with which Desire their Lordships readily comply'd. Then the Ingrossed Articles of Impeachment against *Robert*, Earl of *Oxford* and Earl *Mortimer* were read; after which it was order'd,, First, *That the Lord* Coningsby *do carry the said Articles to the Lords*, Secondly, *That the Lord* Coningsby *be directed, (before he exhibites the said Articles to the Lords) to impeach* Robert, *Earl of* Oxford *and Earl* Mortimer *to the Effect following*, viz.

* July 9th.

Orders of the H. of Commons for Impeaching the E. of *Oxford*.

My LORDS,

The Commons assembled in Parliament having received Information of divers Traiterous Practices and Designs of a Great Peer of this House Robert, *Earl of* Oxford *and Earl* Mortimer, *have commanded me to Impeach the said Earl of* Oxford *and Earl* Mortimer *of High-Treason, and other High Crimes and Misdemeanours: And I do here in their Names, and in the Names of all the Commons of* Great Britain *Impeach* Robert, *Earl of* Oxford *and Earl* Mortimer *of High-Treason, and other High Crimes and Misdemeanors.*

meanours. I am further commanded by the House of Commons to pray and demand of your Lordships, That the Earl of Oxford *and Earl* Mortimer *may be sequestred from Parliament, and forthwith committed to safe Custody.*

After this, Mr. *Sollicitor General* having been sent to the Lords with a Message, to desire, that their Lordships would direct the *Painted-Chamber*, the *Lobby*, and the Passage to the House of Peers might be clear'd from any Crowd, which was done accordingly, by Five a-clock in the Afternoon, the Lord *Comingsby*, attended by most of the *Whig* Members, went up to the of House of Peers, and at their Bar, impeach'd *Robert*, Earl of *Oxford* and Earl *Mortimer*, in the Form above-mention'd; and then left with their Lordships, the following *ARTICLES* of *IMPEACHMENT*.

Articles of *IMPEACHMENT* against the said Earl.

WHEREAS many solemn Treaties and Alliances have been formerly enter'd into between the Crown of *England* and other Princes and Potentates of *Europe*, for their mutual Safety, and from the Considerations of the common Danger which threaten'd all *Christendom*, from the immoderate Growth of the Power of *France*. And whereas the Preventing the Monarchy of *Spain* from coming into the Hands of the House of *Bourbon*, has, for many Years, been a fundamental Principle and Maxim of Union among the Allies, in order to preserve a just Ballance of Power in *Europe*: And to that End, as the Designs of *France* on the Monarchy of *Spain* have, from Time to Time, appear'd, new Treaties and express Stipulations have been enter'd into amongst the Allies, to strengthen themselves against that approaching Danger: And on this Foundation a Treaty for an intended Partition, whereby a Small Part only of the Dominions of the Crown of *Spain* was allotted to the House of *Bourbon*, was condemn'd by the Wisdom of Parliament, as being highly prejudicial and fatal in its Consequences to *England*, and the Peace of *Europe*. And whereas the Duke of *Anjou*, Grandson to the King of *France*, on the Demise of *Charles* the Second, King of *Spain*, took Possession of the entire Monarchy of *Spain*, whereby the

the Ballance of Power, the *Proteſtant* Religion, and the Liberties of *Europe*, were threaten'd with immediate Danger: Whereupon *Leopold*, then Emp. of *Germany*, His Late Majeſty King *William* the Third, of Ever-glorious Memory, and the States-General of the *United Provinces*, finding, at that moſt critical Juncture, that a ſtrict Conjunction and Alliance between themſelves was become neceſſary, for repelling the Greatneſs of the Common Danger from ſo great an Acceſſion of the Power to the then Common Enemy, did, in the Year of our Lord 1701, make, form, and conclude, a New Treaty and Alliance, whereby it was agreed, That there ſhall be and continue between the ſaid Confederates, His Sacred Imperial Majeſty, His Sacred Royal Majeſty of *Great Britain*, and the Lords the States-General of the *United Provinces*, a Conſtant, Perpetual, and Inviolable Friendſhip and Correſpondence, and that each Party ſhall be obliged to promote the Advantages of the other, and prevent all Inconveniences and Dangers that might happen to them, as far as lies in their Power: That the ſaid Allies deſiring nothing more earneſtly than the Peace and general Quiet of all *Europe*, have adjudg'd, that nothing can be more effectual for the Eſtabliſhment thereof, than the procuring an equitable and reaſonable Satisfaction to His Imperial Majeſty for his Pretenſion to the *Spaniſh* Succeſſion, and that the King of *Great Britain* and the States General may obtain a particular and ſufficient Security for their Kingdoms, Provinces, and Dominions, and for the Navigation and Commerce of their Subjects: That the ſaid Confederates therefore ſhall, in the firſt place, endeavour, by Amicable Means, to obtain the ſaid Satisfaction; but if, contrary to their Expectations and Wiſhes, the ſame is not had, the ſame Confederates do engage and promiſe to one another, that they will aſſiſt each other with all their Forces, according to a Specification to be agreed upon in a peculiar Convention for that Purpoſe: That the Confederates, in order to the procuring the Satisfaction and Security aforeſaid, ſhall, amongſt other things, uſe their utmoſt Endeavours to recover the Provinces of the *Spaniſh Low Countries*, that they may be a Fence and Rampart, commonly call'd a *Barrier*, ſeparating and dividing *France* from the *United Provinces*, for the Security of the States General, as they have ſerv'd in all Times, till of late that the *Moſt Chriſtian King* has

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ſeized them by his Forces; as likewiſe the Dutchy of *Milan*, with its Dependencies, as a Fief of the Empire, and contributing to the Security of His Imperial Majeſty's hereditary Dominions; beſides the Kingdoms of *Naples* and *Sicily*, and the Lands and Iſlands upon the Coaſt of *Tuſcany* in the *Mediterranean*, that belonged to the *Spaniſh* Dominions, and may ſerve to the ſame Purpoſe, and will be alſo of Advantage to the Navigation and Commerce of the Subjects of the King of *Great Britain*, and of the *United Provinces*: That in caſe the Confederates ſhall be forced to enter into a War, for obtaining the Satisfaction aforeſaid for His Imperial Majeſty, and the Security of His Majeſty of *Great Britain* and the States-General, they ſhall communicate their Deſigns to one another, as well in relation to the Actions of the War, as all other things wherein the common Cauſe is concern'd: That it ſhall not be permitted to either Party, when the War is once begun, to treat of Peace with the Enemy, unleſs jointly, and by a Communication of Counſels; and no Peace ſhall be made, unleſs an equitable and reaſonable Satisfaction for His Imperial Majeſty, and the particular Security of the Kingdoms, Provinces, Dominions, Navigations, and Commerce, for His Majeſty of *Great Britain*, and the States-General, be firſt obtained; and unleſs care be taken, by fitting Security, that the Kingdoms of *France* and *Spain* ſhall never come and be united under the ſame Government, nor that one and the ſame Perſon ſhall be King of Both Kingdoms; and particularly that the *French* ſhall never get into the Poſſeſſion of the *Spaniſh Indies*, neither ſhall they be permitted to ſail thither on the Account of Traffick, directly or indirectly, on any Pretence whatſoever: And laſtly, unleſs full Liberty be granted unto the Subjects of the King of *Great Britain*, and the States-General, to exerciſe and enjoy all the ſame Privileges, Rights, Immunities, and Franchiſes of Commerce, by Sea and Land, in *Spain*, the *Mediterranean*, and all Lands and Places which the King of *Spain* laſt deceaſed did poſſeſs at the Time of his Death, as well in *Europe* as elſewhere, which they uſed and enjoyed, or which the Subjects of both, or either of them by any Right acquired by Treaties, Agreements, Cuſtoms, or any other way whatſoever, might have uſed and enjoyed before the Death of the Late King of *Spain*: That, at the ſame Time that the ſaid Agreement or

Peace

Peace ſhall be made, the Confederates ſhall agree among themſelves about all the things that they ſhall think neceſſary for maintaining the Navigation and Commerce of the Subjects of *Gr. Br.* and the States-General, in the Lands and Dominions they may acquire, and that were poſſeſſed by the late Deceaſed King of *Spain*, and alſo in what manner the States-General may be ſecured by the aforeſaid Fence or Barrier. And whereas His ſaid late Majeſty King *William*, and the States General, ſeriouſly conſidering, that *France* was then become ſo formidable from the Acceſſion of *Spain* to the Duke of *Anjou*, that, in the Opinion of all the World, *Europe* was in Danger of loſing her Liberty, and undergoing the heavy Yoke of Univerſal Monarchy; and that the ſureſt Means of effecting that Deſign, were to divide the King of *Great Britain* from the States-General; for which Purpoſe all imaginable Efforts would be made; they therefore thought it neceſſary to unite in the ſtricteſt manner that was poſſible; and to that End a Defenſive Treaty and Alliance was concluded and enter'd into between them, in or about the Month of *November*, 1701; wherein it was, among other things, agreed, That in caſe the ſaid High Allies ſhould be jointly engaged in War, by reaſon of this defenſive Alliance before-mentioned in the Fifth Article, or on any other Account, there ſhall be an Offenſive, and Defenſive, and Perpetual Alliance between them, againſt thoſe with whom the War ſhall be, and all their Forces ſhall be employed by Sea and Land, and they ſhall act in conjunction or ſeparately, as it ſhall be agreed between them. But ſince, in the Alliance with the Emperor, made in *September* laſt, particular Care was taken of the Recovery of the *Spaniſh Low Countries* out of the hands of the moſt Chriſtian King, the ſaid Confederates expreſly engage to aid one another with all their Forces for the Recovery of the ſame. And in regard the principal Intereſt of the ſaid Confederates conſiſts in the Preſervation of the Liberties of *Europe*, the before mentioned Treaty with the Emperor ſhall be faithfully and ſincerely executed, and both Sides ſhall guaranty the ſame, and uſe their Endeavours to confirm and render it more ſtrong from time to time: That in making Peace, particular care ſhall be taken of the Commerce and Traffick of both Nations, as alſo for their Security, as well in regard to the *Low-Coun-*

tries as the Countries adjacent: That when the War is begun, the Confederates shall act in concert, according to the seventh and eighth Articles of the Treaty of the 3d of *March*, in the Year of our Lord 1677 8 between *England* and *Holland*, which is hereby renewed and confirmed; and no Peace, nor Truce, or Suspension of Arms, shall be negotiated or made, but according to the ninth and tenth Articles of that Treaty; by which it was agreed, that when the two Allies come once to an open War, it shall be lawful for neither of them afterwards to come to any Cessation of Arms with him, who shall be declar'd and proclaim'd an Enemy, without it be done conjointly, and with common Consent: That no Negotiation of Peace shall be set on foot by one of the Allies, without the Concurrence of the other: That each Ally shall continually, and from time to time, impart to the other every thing that passes in the said Negotiation, and shall stipulate with the Common Enemy for the same Rights, Immunities, Exemptions, and Prerogatives for his Ally, as he does for himself, if so be the said Allies do not agree to the contrary. And whereas the *French* King having got Possession of a great part of the *Spanish* Dominions, exercised an absolute Authority over that Monarchy, having seized *Milan* and the *Spanish Low-Countries* by his Armies, and made himself Master of *Cadiz*, of the Entrance into the *Mediterranean*, and of the Ports of the *Spanish West-Indies* by his Fleets, every where designing to invade the Liberties of *Europe*, and to obstruct the Freedom of Navigation and Commerce; and instead of giving the Satisfaction that ought justly to be expected, had proceeded to further Violences, and had taken on him to declare the Pretended Prince of *Wales*, King of *England*, *Scotland*, and *Ireland*, and had also influenced *Spain* to concur in the same Affront; her late Majesty Queen *Anne* taking notice, that she found her self obliged, for maintaining the Publick Faith, for vindicating the Honour of the Crown, and to prevent the Mischiefs which all *Europe* was threatned with, to declare War against *France* and *Spain*; did accordingly in the Month of *May* 1702. in the most publick and solemn manner, declare War against *France* and *Spain*; and in the said Declaration, placing her intire Confidence in the Help of Almighty God, in so just and necessary

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an Undertaking, declared, That she would, in conjunction with her Allies, vigorously prosecute the same both by Sea and Land, being assured of the ready Concurrence of her Subjects, in a Cause they had so openly and heartily espoused. And his Imperial Majesty and their High Mightinesses, pursuant to the Treaties aforementioned respectively, in or about the said Month of *May*, 1702, did likewise declare War against *France* and *Spain*. And whereas the Kings of *Portugal* and *Prussia*, the Electors of *Hanover*, *Saxony*, *Treves*, *Mentz*, Palatine of the *Rhine*, the Duke of *Savoy*, the Prince of *Hesse*, the Dukes of *Wolfembuttle*, *Mecklenberg*, and *Wirtemberg*, the Circles of *Suabia*, and *Franconia*, and of the *Upper Rhine*, the Bishops of *Munster* and *Constance*, and other Princes and Powers, being invited by the said Grand Alliance, and relying on the Faith thereof, did afterwards become Parties to the said Confederate War against *France* and *Spain*; and in the Treaty entred into in or about the Month of *May* 1703, between his Imperial Majesty, the Queen of *Great Britain*, the States General, and the King of *Portugal*, it is, amongst other things expresly stipulated, That no Peace nor Truce shall be made, but by the mutual Consent of all the Confederates; nor shall any, at any time, be made, whilst the second Grandson of the most Christian King by the Dauphin, or any other Prince of the Line of *France* continues in *Spain*, nor unless the Crown of *Portugal* shall fully possess and enjoy all the Lands, Kingdoms, Isles, Castles, Cities, Towns, *&c.* with their Territories and Dependencies in *Spain*, or elsewhere, which it now possesses. And in the Treaty of *Norelingen*, ratify'd by her late Majesty, it is, amongst other things, expresly agreed, that it shall not be allow'd to make particular Treaties, but the Peace shall be jointly treated of, and shall not be concluded without obtaining, as far as is possible, the Re Union of the Lands belonging to the Circles, and until at least the Security of the associated Circles be absolutely provided for, in the best manner that is possible, and better than it has formerly been. And whereas to give the greatest Strength that was possible to the Union, so necessary to both Nations, Her late Majesty and the States, by a Treaty in the Month of *June*, 1703, renewed and confirmed all Treaties and Alliances then subsisting between them; and therein it is,

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amongſt other things, expreſly and particularly ſtipulated, That as the ſaid moſt Serene Queen, and the Lords the States-General, are now in War with *France* and *Spain*, and are reciprocally bound to aſſiſt each other, and mutually to defend, maintain, and preſerve their Countries and Subjects in their Poſſeſſions, Immunities, and Liberties, as well of Navigation and Commerce, as other Rights whatſoever by Sea and Land, againſt and in Oppoſition to all Kings, Princes, and States, and particularly againſt *France* and *Spain*, to the end a juſt and reaſonable Peace may the better be obtained, that may eſtabliſh the Repoſe and Tranquility of *Europe*, it is agreed between the moſt Serene Queen of *Great Britain*, and the ſaid Lords the States-General, that neither of the ſaid Allies ſhall make a Suſpenſion of Arms or a Peace with *France* or *Spain*, or any other King, Prince, or State, who ſhall moleſt or attack either of the ſaid Allies, but in Conjunction and by common Conſent. And whereas the ſaid War was for ſeveral Years carry'd on with Vigour and Unanimity by her Majeſty and her Allies, at a vaſt Expence both of Blood and Treaſure; for the Support of which on the part of *England*, many Millions have been granted by Parliament, who, on many Occaſions ſince, continu'd not only to expreſs their Senſe of the Juſtice and Neceſſity of the War, but did frequently give their humble Advice to the Throne, That no Peace could be Safe, Honourable, or Laſting, ſo long as the Kingdom of *Spain* and the *Weſt-Indies* continu'd in the poſſeſſion of any Branch of the Houſe of *Bourbon*. And whereas it pleaſed Almighty God to grant to the Confederate Arms under the Command of their Great and Victorious General the Duke of *Marlborough*, ſuch unparallel'd Succeſſes, as exceeded even their own Hopes and Fears of the Enemy; and by the many ſignal Victories of *Schellenberg*, *Hochſtedt*, *Audenarde*, and *Ramillies*, as well as by the Conqueſts of the Electorates of *Bavaria* and *Cologne*, and the Reduction of the *Spaniſh Netherlands*, and many other great Advantages both by Sea and Land; and by the Wiſdom and Unanimity of their Counſels, the Glory of the Confederate Arms, and the Reputation of *Great Britain* in particular, was rais'd to an higher pitch than in any former Age. And whereas her late Majeſty, in conjunction with her Allies, wiſely foreſeeing that whenever the Enemy

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ſhould be brought to make Overtures of Peace, the ſureſt way to put an end to the War, and prevent *France* from putting in practice her uſual Intrigues, was by previouſly inſiſting on ſuch Conditions from *France*, that nothing might remain to be done in a General Aſſembly, but to give them the Form of a Treaty; and for thoſe Reaſons a Preliminary Treaty was concluded on, and was afterwards ſign'd by the Plenipotentiaries of his Imperial Majeſty, of her late Majeſty the Queen of *Great Britain*, and of the Lords the States General of the United Provinces, and afterwards ratify'd by their Principals; wherein the Intereſts of the ſeveral Allies were adjuſted, in order to a General Treaty of Peace with *France*: and therein, the Reſtitution of the *Spaniſh* Monarchy to the Houſe of *Auſtria*, being one of the chief Cauſes for carrying on the War, is laid down as an immutable Foundation among the Allies, And whereas in the Year of our Lord 1709, the King of *France* having firſt ſignify'd his Conſent to the Reſtitution of the *Spaniſh* Monarchy to the Houſe of *Auſtria*, ſent his Miniſters to the *Hague* to treat with the Miniſters of the Principal Allies on a General Peace; and in the Conferences held thereupon, the Intereſts of all the Allies, as adjuſted in the ſaid Preliminaries, were poſitively and expreſly agreed to by the Miniſters of *France*, and particularly that of the Reſtitution of the entire *Spaniſh* Monarchy to the Houſe of *Auſtria*; and the ſaid Negotiation was afterwards broke, on no other Diſpute but on the thirty ſeventh Article of the Preliminary Treaty, concerning the Time and Manner of evacuating *Spain*. And whereas the Conferences being reſumed at *Gertruydenbergh*, in the Year of our Lord 1710, the ſaid thirty ſeventh Article became the only Subject of the Negotiation which was there ſet on foot, for the finding out ſome Equivalent by which the ſame Security might be given to the Allies, as they had by the thirty ſeventh Article of the ſaid Preliminaries; and tho' it was unqueſtionable, that before any Negotiation was begun, that while the Preliminaries were treating, that by thoſe Preliminaries themſelves, that before the laſt Negotiation was reſumed, and all the while it laſted, the Reſtitution of *Spain* and the *Indies* was laid down as a firm and immovable Foundation of the Negotiation, and no queſtion remained concerning it with the Miniſters of the Allies or

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thoſe of *France*, but touching the Security for its Execution: and tho' all reaſonable and prudent Overtures were made by the Allies for ſettling an Equivalent, yet the Conferences were broke off by *France* without any Satisfaction therein. And whereas the ſincere Intentions of all the Allies to have ſettled the Peace of *Europe* on ſolid and equitable Foundations were notorious and inconteſtable, and the Rupture of the ſaid Negotiations could only be imputed to the Enemy; her ſacred Majeſty, in conjunction with her Allies, renewed their Reſolutions to continue and puſh the War with Vigour, and to make all poſſible Efforts, as the only means left to force a good and general Peace. And her Majeſty in her Speech from the Throne, on the fifteenth of *November*, 1709, taking notice of the Endeavours of the Enemy during the ſaid Negotiations to amuſe and create Jealouſies among the Allies, declared her Reſentment thereat, and earneſtly recommend the carrying on the War, and a vigorous Proſecution of the Advantages obtained, that ſhe might put the laſt hand to that Great Work of reducing the Exorbitant and Oppreſſive Power which had ſo long threatned the Liberties of *Europe*: And it having pleaſed Almighty God, after the ſaid Preliminary Treaty, to bleſs the Confederate Army under the Command of their Conſummate General the Duke of *Marlborough* with new and ſignal Conqueſts, the Reduction of *Tournay*, the Victory of *Taſnieres*, the taking of *Mons* and *Doway*, *Bethune*, *St. Venant* and *Aire*, and the penetrating the Lines near the *Scarpe*. And whereas from the proſperous Condition of the Affairs of the Allies, and the Wiſdom, Firmneſs, and Unanimity of their Counſels, nothing remained, in all human Appearance, but that they ſhould reap the Fruits of all their Victories, in a ſpeedy, juſt, honourable, and laſting Peace; and on the other hand nothing was left to raiſe the Hopes of the Enemy, whereby to defeat that happy Proſpect, but the Succeſs of their ſecret Endeavours to diſ-unite the Confederacy. And whereas *Robert* Earl of *Oxford* and Earl *Mortimer*, with other evil-minded Perſons, Enemies to the true Intereſts of their own Country, as well as to the Common Liberties and Welfare of *Europe*, having by many wicked Arts and baſe Inſinuations obtained Acceſs to her late Majeſty Queen *Anne*, and in or about the Months of *July* or *Auguſt*, 1710 being admitted into her Councils

Councils, and into Places of the highest Trust; and to make way for their wicked Enterprizes, did by their evil Counsel and Advice, prevail on Her Majesty to dissolve a Parliament which had given the most unquestionable Proofs of their great Wisdom, and of their true Zeal for the Common Cause; for which, as well as for the many Marks of Duty and Affection given to her, Her Majesty return'd her hearty Thanks, and express'd her great Satisfaction. And whereas the said *Robert*, Earl of *Oxford* and Earl *Mortimer*, and others his Accomplices, had formed a treacherous Correspondence with the Emissaries of *France*, by means whereof certain Propositions were transmitted from *France* to *England*, sign'd by Monsieur *de Torcy*, Secretary of the King of *France*, in the Month of *April*, 1711, to be the Basis of a Treaty of a General Peace; which Propositions, tho' Her Majesty was prevail'd on by the false Counsels of the said *Robert*, Earl of *Oxford* and Earl *Mortimer*, and others, to receive as a sufficient Foundation for a Treaty of a General Peace, and as such to communicate them to the Grand Pensionary and the Ministers of *Holland*, Her Majesty however was graciously pleas'd, at the same Time, to declare to them her Pleasure by her Secretary of State, That being resolv'd, in making Peace as in making War, to act in perfect Concert with the States, she would not lose a Moment in transmitting a Paper of that Importance; and that tho' the Propositions were general, and contain'd an Air of Complaisance to Her Majesty, and the contrary towards the States; yet that could have no Ill Consequences, as long as Her Majesty and the States understood one another, and acted with as little Reserve as became Two Powers so nearly ally'd in Interest; and that the Pensionary should be assur'd, that that Rule should be inviolably kept on our Part. Which Gracious Declaration of Her Majesty, as well as the said Propositions, being maturely consider'd by the Grand Pensionary and the Ministers of *Holland*, an Answer was return'd from them to Her Majesty, full of Duty and Thankfulness for the obliging manner in which she was pleas'd to communicate the said Propositions, and with the utmost Assurances of Mutual Confidence, so necessary to prevent the Designs of the Enemy; but that more particularly the States desir'd, equally with *Great Britain*, to have a General, Definitive, and Lasting Peace, and declar'd that they were ready to

join in all the moſt proper Meaſures to procure it; that the Propoſitions were yet too general; and that the States deſire, as *Great Britain* did, that *France* would explain her ſelf more particularly upon the Points therein contain'd, and impart a Plan which ſhe thinks the moſt proper to ſecure the Intereſt of the Allies, and ſettle the Repoſe of *Europe*; after which a more particular Negotiation might be enter'd into. Notwithſtanding all which Premiſes,

ARTICLE I.

HE the ſaid *Robert*, Earl of *Oxford*, and Earl *Mortimer*, having no Regard to the Honour or Safety of Her late Majeſty or her Kingdoms, or to the many ſolemn Engagements ſhe was then under to the old and faithful Allies of this Nation, or to the common Liberties of *Europe*; but being devoted to the Intereſt and Service of the *French* King, the Common Enemy; and being then Lord High Treaſurer of *Great Britain*, and one of Her Majeſty's moſt Honourable Privy Council, contrary to his Oath, and in Violation of his Duty and Truſt, and in Defiance of the Tenour of the ſeveral Treaties aforemention'd, or ſome of them, as well as of the frequent Advices of Parliament, and the many Declarations of Her Maj. from the Throne; but more particularly in Defiance of the ſolemn and mutual Aſſurances which had been ſo lately renew'd between Her Maj. and the States, to act in perfect Concert with them in making Peace as in making War, did on or about the Months of *Jul.* or *Aug.* in the Year of our Ld. 1711, maliciouſly and wickedly form a moſt treacherous and pernicious Contrivance and Confederacy with other evil-diſpoſed Perſons, then alſo of Her Majeſty's Privy Council, to ſet on foot a Private, Separate, Diſhonourable, and Deſtructive Negotiation of Peace, between *Great Britain* and *France*, without any Communication thereof to Her Majeſty's Allies, according to their ſeveral Treaties; and was not only wanting in his Duty and Truſt to Her Majeſty, by not oppoſing, and, as far as was in his Power, by not adviſing Her Majeſty againſt going into any Private Separate Negotiation with *France*; but in Execution of his Purpoſes aforeſaid, he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, did adviſe Her late Majeſty to ſend *Matthew Prior*, Eſq; directly to the Court of *France*, to make Propoſitions of Peace, without

without communicating the ſame to Her Majeſty's Allies. And accordingly the ſaid *Matthew Prior*, by the Advice, and with the Privity of him the ſaid Earl of *Oxford* and Earl *Mortimer*, and other falſe and evil Counſellors, in or about the Months of *July* or *Auguſt*, in the Year of our Lord 1711, was ſent in a clandeſtine manner from *England* to *France*, and did communicate the ſaid Propoſitions of Peace to the Miniſters of *France*; in which the particular Intereſts of *Great Britain*, as well as the common Intereſts of *Europe*, were ſhamefully betray'd: And in manifeſtation of his ſaid Deſign to exclude Her Majeſty's Allies from their juſt Share in the ſaid Negotiation, an expreſs Article was inſerted in the ſaid Propoſitions, by the Privity and Advice of him the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, that the Secret ſhould be inviolably kept, till allow'd to be divulg'd by the mutual Conſent of both Parties: Although the *French* King had, in the Propoſitions ſign'd by Monſieur *de Torcy*, and tranſmitted in the Month of *April* preceding, offer'd to treat with the Plenipotentiaries of *England* and *Holland* alone, or jointly with thoſe of the Allies, at the Choice of *England*. By which treacherous and dangerous Advice, he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, did not only contrive and ſet on foot a Negotiation of Peace more advantageous to *France* than even *France* it ſelf had ask'd; but thereby did put it into the Power of the common Enemy to create incurable Jealouſies and Diſcords between Her Majeſty and her faithful Allies, and to deſtroy that Confidence which had ſo long and ſo ſucceſsfully been cultivated between them, and which was ſo neceſſary for their common Safety.

ARTICLE II.

That the *French* King laying hold of the ſaid treacherous Overture, ſet on foot in manner aforeſaid, did in or about the Months of *Auguſt* or *September*, in the Year of our Lord 1711, ſend over Monſieur *Meſnager* into *England* to carry on a Clandeſtine and Separate Negotiation of Peace; which being made known to him the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, he did afterwards, in the ſaid Month of *September*, 1711, ſecretly and unlawfully, without any Colour of Authority, meet, confer, and treat with the ſaid Sieur *Meſnager*, on the Negotiations of a Peace between *Great Britain* and *France*; and therein he did adviſe and promote

the making a Private and Separate Treaty or Agreement between the ſaid Crowns: Which ſaid Treaty or Agreement was afterwards, with the Privity, Conſent, and Advice of him the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, agreed, concluded, and ſign'd by the ſaid Sieur *Meſnager*, on the Part of *France*, and by the Earl of *Dartmouth* and *Henry St. John*, Eſq; Two of Her Majeſty's Principal Secretaries of State, in Behalf of Her late Majeſty, by Virtue only of Her Majeſty's Sign Manual under the Signet, and without the leaſt Knowledge or Participation of the Allies, In which Treaty the immediate Intereſts even of *Great Britain* are given up to *France*, and the Duke of *Anjou* is admitted to be King of *Spain*; an expreſs Stipulation being therein made with the Sieur *Meſnager*, in the Name, and (as is therein alledg'd) purſuant to Powers from King *Philip* as King of *Spain*. Whereby he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, did not only aſſume to himſelf Regal Power, in taking upon him to meet and treat with the Enemy without any Authority or Power from Her Majeſty; but did what in him lay to ſubvert the ancient and eſtabliſh'd Conſtitution of the Government of theſe Kingdoms, by introducing Illegal and Dangerous Methods of tranſacting the moſt Important Affairs of the State; and by which private and ſeparate Treaty, he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, did what in him lay to diſſolve and cancel the many ſolemn Treaties Her Majeſty then ſtood engag'd in to her good and ancient Allies, and whereby Her Majeſty, even before any thing was finally ſettled for the Safety and Advantage of her Kingdoms, was brought to this fatal Dilemma; Either to ſubmit to the Dictates of *France* in the Progreſs of the ſaid Negotiation; or, ſo notorious a Breach of National Faith being divulg'd by the Enemy, from thence to loſe all future Confidence of her good Allies.

ARTICLE III.

That the ſaid *Robert* Earl of *Oxford* and Earl *Mortimer*, the better to diſguiſe and carry on the aforeſaid private, ſeparate, and dangerous Negotiation, did, together with other evil-diſpos'd Perſons, then in high Truſt under Her Majeſty, contrive and adviſe the preparing and forming a Set of General Preliminaries, intitled, *Preliminary Articles on the Part of* France, *to come to a General Peace*; and that the

the ſame ſhould be ſign'd by the Sieur *Meſnager* only. And the ſame being ſo prepar'd and ſign'd by the ſaid Sieur *Meſnager*, he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer* did, contrary to his Duty and Truſt, impiouſly adviſe Her Sacred Majeſty, that the ſame ſhould be, and accordinly they were receiv'd by Her Majeſty, and communicated to the Miniſters of the Allies then reſiding in *England*, as the Ground of a General Negotiation of Peace, and as if the ſame were the only Tranſactions that had been on this Subject between *Great Britain* and *France*. And to this End, the private Treaty, ſign'd as aforeſaid by the Earl of *Dartmouth* and Mr. *St. John*. on the Part of *England*, and by the ſaid Sieur *Meſnager* on the Part of *France*, was by the evil Advice and Contrivance of him the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, and others, wilfully and induſtriouſly conceal d not only from all the Allies, but even from Her Majeſty's Council and her Parliament. And he did further adviſe Her Majeſty not only to accept the ſaid General Preliminaries, but in her Name and by her Authority to communicate the ſame to the States-General, as a ſufficient Foundation whereon to open the Conferences of Peace with *France*. And the more effectually to cover from the States General the pernicious Steps which his evil Influence had engag'd Her Majeſty in with the common Enemy, certain Inſtructions were prepar'd, and by his Counſel and Advice were ſign'd by Her Majeſty, and deliver'd to the Earl of *Strafford*, her Ambaſſador to the States-General; wherein the ſaid Earl of *Strafford* is directed to repreſent to the Penſionary of *Holland*, and to ſuch others as ſhall be appointed to conſer with him, That when Her Majeſty had receiv'd in *May* laſt, by his Excellency's Diſpatches, an Account of the Senſe which thoſe among them, who were at that Time in the Secret, had of the Overtures made by *France* for ſetting a General Negotiation of Peace again on foot, and of the Anſwer which it was deſir'd might be return'd to the Propoſitions ſign'd by Mr *de Torcy*, Her Majeſty did immediately acquaint the Enemy, that their Offers were thought by her and by the States General neither particular nor full enough: And therefore that Her Majeſty did inſiſt, that they ſhould form a diſtinct Project of ſuch a Peace as they were willing to conclude. Whereas no ſuch Inſtances had been made to the Enemy on

Her

Her Majeſty's behalf; but on the contrary, notwithſtanding Her Majeſty had declar'd that the Propoſitions of Monſieur *de Torcy* were thought by her and the State-General neither particular nor full enough, yet without any further Explication from the Enemy, Her Majeſty was prevail'd on, in manner aforeſaid, to ſend over Propoſitions to *France* as general and inſnaring, and in all reſpects as deſtructive to the Intereſts of *Great-Britain* and her Allies, as the Propoſitions of Monſieur *de Torcy*. And the ſaid General Preliminaries, communicated to the States in manner aforeſaid, were calculated only to amuſe and deceive them into a General Negotiation with *France*. And in the Particulars aboveſaid, as well as in the ſeveral others, the ſaid Inſtructions contain'd Matters either falſe or groſly prevaricating and evaſive. By which moſt wicked Counſels of him the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, that unqueſtionable Truth and Sacredneſs which by the Laws of Nations ought to accompany and conſtitue the Inſtructions of publick Ambaſſadors to Princes in Frienſhip and Confederacy againſt the Common Enemy, was moſt vilely proſtituted to the moſt dangerous Purpoſes, to deceive and miſlead Her Majeſty's good Allies in matters of the greateſt Importance to their own Intereſts, and the Intereſts of theſe Kingdoms; the Honour of Her Majeſty's Sacred Perſon, and of the Imperial Crown of theſe Realms, which had been rais'd to the higheſt Pitch of Glory abroad, and had been juſtly held in Veneration with her good Allies, was ſcandalouſly debas'd and betray'd; and the Royal Hand, by the wicked Arts of him the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, was made the Inſtrument to advance the Intereſt of the Common Enemy.

ARTICLE IV.

That whereas the Earl of *Strafford*, purſuant to his ſaid Inſtructions, had communicated the Preliminaries ſign'd by Monſieur *Meſnager* only to the States General, who being juſtly alarm'd at the preſſing Inſtances made on the Part of Her Majeſty, that Conferences ſhould be open'd on Propoſitions as general and uncertain as thoſe ſo lately offer'd by *France*, and ſign'd by Monſieur *de Torcy*; and their High Mightineſſes having been unſucceſsful in their Remonſtrances to the Earl of *Strafford* and opening the Conferences

upon

upon the ſaid Propoſitions, did ſend over Monſieur *Buys*, their Ambaſſador, to repreſent to Her Majeſty, as well the Hazard of meeting the Miniſters of *France* befor the eſſential Articles were firſt ſettled by ſpecial Preliminaries, or at leaſt explain'd by *France*, and made Specifick; as likewiſe the Advantages to the Enemy, who being but one Body, were influenc'd by one Council, and directed by one Power, whereas the Confederates conſiſted of ſeveral Powers, whoſe Intereſts are not only diſtinct, but in many Caſes contrary to each other, whereby the *French* would have a fair Opportunity to divide the Allies, when it would be impoſſible for them to break in upon *France*; and further to repreſent, that the Propoſitions themſelves were in ſome Inſtances very prejudicial, particularly in the Articles of Commerce, *Dunkirk*, and the Union of the Crowns of *France* and *Spain*. All which Repreſentations of the ſaid Monſieur *Buys*, by the evil Influence of him the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, and others, were render'd ineffectual; but in order to prevail upon the States-General to open the Conferences upon the ſaid General Preliminaries, by the Management and Contrivance of him the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, and others, an Occaſion was taken to declare to Monſieur *Buys*, at a Committee of Council in Her Majeſty's Name, her conſtant Affection and good Diſpoſition to their State, and to the promoting their Intereſt, and to treat with their High Mightineſſes with a perfect Confidence and Harmony: And at the ſame Time he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, did then falſly and malicioufly declare, or was privy to adviſing and conſenting, that it ſhould be, and ſo it was declar'd, in Her Majeſty's Name, that ſhe had made no Separate Treaty with *France*, nor ever would make any before ſhe had fully comply'd with all Engagements to her Allies, and that each of them ſhould have Opportunity to make good their Pretenſions.

By which falſe, ſcandalous, and diſhonourable Aſſurances, he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer* did not only highly Diſhonour Her Majeſty, by whoſe Privity the ſaid Separate Treaty with *France* had been before that Time concluded and ſign'd; but their High Mightineſſes, the good Friends and Ancient Allies of Her Majeſty, were groſly abus'd and thereby induc'd to enter into a Negotiation

with

with *France*, ſo dangerous in it ſelf, and ſo fatal in its Conſequences.

ARTICLE V.

That Her Sacred Majeſty Queen *Anne* having in due Form of Law, and under her Great Seal, conſtituted the Right Reverend *John* Lord Biſhop of *Briſtol*, and the Earl of *Strafford*, her Plenipotentiaries, with full Powers to meet, treat, and conclude with the Plenipotentiaries of the Confederates, and thoſe whom the *French* King ſhall on his Part depute for that Purpoſe, the Conditions of a good and general Peace, that ſhall be ſafe, honourable, and, as far as is poſſible, agreeable to the reaſonable Demands of all Parties; he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, not contenting himſelf to abuſe the Royal Authority, to the Deluſion of the States General, the neareſt Allies of the Queen, but intending the Univerſal Prejudice of his Imperial Majeſty, and all the Allies of theſe Kingdoms, and thereby the more ſucceſsfully to carry on the Meaſures of *France*, wherein he was then engag'd, contriv'd and prepar'd Inſtructions, or was privy to conſenting and adviſing the ſame, for Her Majeſty's ſaid Plenipotentiaries, which ſhe was prevail'd upon by the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*'s evil Counſel to ſign, and the ſame were deliver'd to the ſaid Plenipotentiaries; wherein among other Things they are Inſtructed to the effect following, *viz.* If it ſhall be thought proper to begin by the Diſpoſition of the *Spaniſh* Monarchy, you are to inſiſt that the Security and reaſonable Satisfaction which the Allies expect, and which his moſt *Chriſtian* Majeſty has promis'd, cannot be obtain'd, if *Spain* and the *Weſt-Indies* be allotted to any Branch of the Houſe of *Bourbon*: Whereas the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer* had at that Time privately and treacherouſly negotiated and agreed with the Miniſters of *France*, That *Spain* and the *Weſt Indies* ſhould remain in a Branch of the Houſe of *Bourbon*, and had prevail'd on Her Sacred Majeſty to be Party to the ſaid private Treaty, wherein the ſame is neceſſarily imply'd. And the ſaid Plenipotentiaries are further inſtructed, in caſe the Enemy ſhould object, as the Imperial Miniſters had done, that the Second Article of the Seven ſign'd by the Sieur *Meſnager* implies, that the Duke of *Anjou* ſhall continue on the Throne of *Spain*; you

are

are to inſiſt, that thoſe Articles, as far as they extend, are indeed binding to *France*, but that they lay neither us nor our Allies under any poſitive Obligation: Whereby the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer* baſely enter'd into a Confederacy and Colluſion even with the Miniſters of the Enemy, and prevail'd on Her Majeſty to give her Royal Conſent thereto, the more effectually to impoſe on His Imperial Majeſty and all the Allies, and to conceal the ſaid Secret Negotiations, and the Separate Treaty that had been agreed on between *Great Britain* and *France*. And the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, not only in the Particulars before-mention'd, but in many others contain'd in the ſaid Inſtructions, has brought a laſting Reproach on the Crown of theſe Realms, and groſly violated the many Treaties wherein Her Sacred Majeſty was then engag'd to her Allies, to act in perfect Concert with them throughout the Negotiations of Peace.

ARTICLE VI.

That the Conferences of Peace being open'd between the Plenipotentiaries of the Allies, and thoſe of the Enemy, for the negotiating a General Peace upon the mutual and moſt ſolemn Engagements amongſt the Allies, not only to act in perfect Confidence with each other, but to promote their Common Intereſt, and to obtain from the Enemy all juſt and reaſonable Satisfaction; and a Specifick Explanation of the General Preliminaries having been given in by the Enemy at *Utrecht*, whereon the Allies delivered their reſpective Demands; by the Artifices of *France*, and the ſecret Encouragement and Concurrence of the Miniſters of *Great-Britain*, the Progreſs of the ſaid Publick Negotiation was delayed and kept in ſuſpence, under pretence of the Enemy's refuſing to give their Anſwer in Writing: During which Time, he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, again aſſuming to himſelf Regal Power, in Derogation of the Royal Authority, to treat of Peace with *France*, which was then delegated under the Great Seal of *Great Britain* to Her Majeſty's Plenipotentiaries at *Utrecht*, and for the promoting the Deſign of the Enemy, to the apparent Deſtruction of the Common Cauſe of Her Majeſty and her Allies, contrary to the known Laws and Conſtitution of this Kingdom, in direct Violation of the ſeveral Alliances

Her Majeſty then ſtood engaged in, and in Oppoſition to the many Aſſurances given by Her Majeſty to act in Concert with her Allies, and in Defiance of the expreſs Inſtructions given to her ſaid Plenipotentiaries; was not only wanting in his Duty to Her Majeſty, as far as in him lay to have put an End to, and prevented any further private and unlawful Negotiations with *France*, but did, with others his Accomplices, adviſe, concur, continue, and promote a private, ſeparate, and unjuſtifiable Negotiation with *France*, directly from *England* to *France*, without any Communication thereof to the Allies; and in ſuch private Negotiations did concert with the Miniſters of the Enemy, Terms of Peace highly Prejudicial to the Intereſt of Her Majeſty and her Kingdoms, and of all her Allies, and whereby the good Effects of the ſaid General Negotiations were entirely defeated.

ARTICLE VII.

That Her Sacred Majeſty Queen *Anne* having been prevailed on by the falſe Counſels of him the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer* to accept of a Treaty with *France*, on the Suppoſition that the *Spaniſh* Monarchy ſhould continue in the Poſſeſſion of a Branch of the Houſe of *Bourbon*; and it being acknowledged even by the *French* King in the General Preliminaries ſigned by Monſieur *Meſnager*, that the Exceſs of Power from the Re-union of the Crowns of *France* and *Spain* would be contrary to the good and general Repoſe of *Europe*: He the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer* having nothing ſo much in View, as the aggrandizing the Common Enemy, yet always intending to cover the Iniquity of his Heart under ſpecious Pretences and falſe Appearances, did wickedly and treacherouſly adviſe and carry on a private and ſeparate Negotiation with *France*, on the Subject of a Renunciation of his Right to the Kingdom of *France* by the Duke of *Anjou*, and that ſuch Renunciation ſhould be the Security againſt the Re-union of the Two Kingdoms. And by the Influence of his evil Counſels Her Majeſty was prevailed on to accept and finally to conclude and ratify a Treaty of Peace with *France*, wherein the ſaid Renunciation is taken as a ſufficient Expedient to prevent the Miſchiefs that threatned all *Europe*, in caſe the Crowns of *France* and *Spain* ſhould

ſhould be united upon the Head of one and the ſame Perſon; altho' he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, well knew, that a Memorial had been, during the ſaid Separate Negotiation, tranſmitted by Mr. *de Torcy*, Secretary of State and Miniſter to the *French* King, to one of Her Majeſty's Principal Secretaries of State, whereby it was declared, that the ſaid Renunciation would be null and invalid by the Fundamental Laws of *France*; which Laws were looked upon as the Work of Him who had eſtabliſh'd all Monarchies, and which He only could aboliſh; and that no Renunciation therefore could deſtroy it: And if the King of *Spain* ſhould renounce, they would deceive themſelves that ſhould receive it as a ſufficient Expedient to prevent the Miſchiefs propoſed to be avoided. By which falſe and treacherous Counſels, he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, did not only betray the Intereſts of the Common Cauſe into the Hands of the moſt formidable Enemy, but wilfully and maliciouſly abuſed the Power and Influence which he had obtained with Her Majeſty, ſo far as to engage Her Sacred Majeſty, and the Honour of the Imperial Crown of theſe Kingdoms, to become Party with *France* in ſo fatal a Deceit.

ARTICLE VIII.

That Her Late Majeſty Queen *Anne* having on the Seventh Day of *December*, in the Year of our Lord 1711, earneſtly recommended it from the Throne, That Proviſion might be made for an early Campaign, in order to carry on the War with Vigour, and as the beſt way to render the Treaty of Peace effectual; in order to which, vaſt Supplies were granted, and Magazines provided at a great Expence for an early Campaign; and in purſuance thereof, Her Majeſty having ſent her Generals, *Lumley* and *Cadogan*, to give early Aſſurances to her Allies of her ſincere Intentions, and likewiſe expreſly inſtructed her General, the Duke of *Ormonde*, not only to renew the ſame Aſſurances, and declare her Reſolutions of puſhing on the War with the utmoſt Vigour, but to concert with the Generals of the Allies the proper Meaſures for entring on Action; and the Confederate Army, which at that Time was the Fineſt and Strongeſt that had been in the Service during the whole Courſe of the War, and provided with all Neceſſaries to act with Vigour,

having march'd, according to the Reſolution taken in Concert with Her Majeſty's General, almoſt up to the Enemy, with a great Superiority both as to the Number and Goodneſs of Troops, and animated with a noble Courage and Zeal to acquit themſelves bravely; ſo that in all human Appearance, and with the Divine Aſſiſtance, which had appeared ſo viſibly for them on many other Occaſions, they would have been able, either by Battel or Siege, to have gained great Advantages over the Enemy, to have bettered the Affairs of the Allies, and to have facilitated the Negotiations of Peace: And the Miniſters of *France* having frequently and earneſtly repreſented to the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, and other his Accomplices, during their ſecret Negotiations, their juſt Apprehenſions from the Bravery and good Diſpoſition of the Confederate Army; he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer* being truly informed of the ſure Proſpect which, by the Bleſſing of God, the Army of the Confederates then had, of gaining new Conqueſts over the Army of *France*, and whereby they would have been enabled to have forced Terms of Peace, Safe, Honourable, and Laſting; in order to diſappoint thoſe Comfortable Expectations of the Allies, and to give Succeſs to his ſecret Negotiations with the Miniſters of *France*, was privy to, conſenting and adviſing, together with other falſe and evil Counſellors, and together with them did adviſe and conſent, that an Order ſhould be ſent, in Her Majeſty's Name, to the Duke of *Ormonde* in *Flanders*, to avoid engaging in any Siege, or hazarding a Battel, till further Orders; altho' nothing had then been ſettled in the ſaid private Negotiations for the Intereſt and Security of *Great Britain*; and altho' *Philip* King of *Spain* at that Time had not conſented to the Renunciation of his Right to the Crown of *France*. And not contenting himſelf with having obtained that fatal Step, ſo highly advantageous to the Cauſe of *France*, but being wickedly determined to do all that in him lay to diſſolve the whole Confederacy, he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, with others, was privy to, and did conſent and adviſe, that Orders ſhould be ſent to the Biſhop of *Briſtol*, one of Her Majeſty's Plenipotentiaries then at *Utrecht*, to take the firſt ſolemn Opportunity to declare to the *Dutch* Miniſters,

Miniſters, that Her Majeſty look'd on her ſelf from their Conduct to be then under no Obligation whatſoever to them: Which Two Declarations giving juſt Alarm to all the Allies, they repreſented to the Biſhop of *Briſtol* their general Diſſatisfaction, and the unexpreſſible Conſternation they were all in; that theſe Proceedings were the unavoidable Ruin of *Europe*: They urged Religion, Liberty, and the Faith of Treaties, to ſhew the Enormity of this Uſage; and the States expreſſed their Uneaſineſs on no account ſo much, as that they could not come to the knowledge of their own Lot. Which Repreſentation the Biſhop of *Briſtol* did, at the Inſtance of the Allies, ſignify to one of Her Majeſty's Principal Secretaries of State; but their High Mightineſſes finding that all Applications to the Miniſters of *Great Britain*, and in particular to the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, were of no Avail againſt *France*, and for the Intereſt of the Common Cauſe, thought it neceſſary, in a manner the moſt moving and reſpectful, to addreſs directly to Her Majeſty by a Letter of the Fifth of *June*, 1712; therein expreſſing their great Surprize and Affliction at the Two Declarations afore-mentioned; and finding it difficult to conceive how ſuch Declarations, ſo prejudicial to the Common Cauſe, given ſo ſuddenly without their Knowledge, and undoubtedly too without the Knowledge of the other Allies, could agree and conſiſt with the Nature of an Alliance, and with thoſe Aſſurances and Engagements Her Majeſty had ſo lately made, and not knowing how to reconcile it with the great Goodneſs and Kindneſs which Her Majeſty had always honoured them with, and not being able to concieve how ſuch a ſudden Change could happen with reſpect to them, having carefully examined their own Conduct, and finding nothing therein that could have given Ground to Her Majeſty's Diſſatisfaction: And having repreſented the viſible and immediate fatal Conſequences of the ſaid Two Orders, not only to the Common Intereſt of Her Majeſty and the States, but to the whole Confederacy, and to the *Proteſtant* Releligion; they beſeeched Her Majeſty, with all the Reſpect, and all the Earneſtneſs they were capable of, that ſhe would not perſiſt in the Declarations made by the Biſhop of *Briſtol*, and would be pleaſed to revoke the Orders given to the Duke of *Ormonde*, and would authorize

him

him to act according to Occurences, and as the Exigency of the War, and the Advancement of the Common Cauſe ſhould require. Notwithſtanding which, he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, being acquainted with the ſaid Repreſentations of the States, was not only wanting in his Duty to Her Majeſty, and to his Oath, and the great Truſt repoſed in him, in not adviſing, as he ought to have done, Her Sacred Majeſty to have hearken'd to the ſaid ſeveral Inſtances made to her; but perſiſting in his deſperate and deſtructive Meaſures, for the Advancement of the Intereſt of the common Enemy, did afterwards adviſe Her Majeſty to diſregard and reject the ſame, and did countenance, encourage, adviſe, and promote the ſaid Private, Separate, and Wicked Negotiations with *France*, without any Participation of the Allies, contrary to all Her Majeſty's Engagements, and to the apparent Ruin of the Common Cauſe. By which ſeveral wicked and perfidious Counſels, the Progreſs of the victorious Arms of the Confederates was ſtopped, and an Opportunity loſt for conquering the Enemy, the moſt Favourable, in the Opinion of all the General Officers and the Quarter Maſters of the Allies, who were ſent out to view the *French* Camp; and whereby all Hopes of Confidence between Her Majeſty and her Allies was entirely deſtroyed, and the *French* King made abſolute Maſter of the Negotiations of Peace, and the Affairs of *Europe* given into his Hands.

ARTICLE IX.

That to impoſe upon the Allies the fatal Neceſſity of ſubmitting to the Terms of *France*, and, in order thereto, to leave the whole Confederate Army at the Mercy of the common Enemy, he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, was privy and conſenting to a Secret and Separate Concert with the Miniſters of *France*, without the Knowledge of the Allies, for the ſeparating the Troops in Her Majeſty's Pay from the reſt of the Confederate Army: For the effecting whereof, inſtead of preventing as far as in him lay ſo fatal a Step, he was not only wanting to adviſe againſt ſo unwarrantable a Proceeding, but did conſent to and adviſe Her Majeſty, that the Duke of *Ormonde*, and all the Troops then in Her Majeſty's Pay, or ſuch of them as would obey his Orders, ſhould ſeparate themſelves from the Army

of

of the Confederates: And having Notice that the Generals of the Auxiliaries, paid by Her Majeſty, whoſe Honour and Conſciences would not permit them to abandon the Confederates, and leave them as a Sacrifice to *France*; but for the Stake of the common Intereſt of *Europe*, and according to the true End and Deſign of their Conventions, did refuſe to withdraw with the Duke of *Ormonde*, without particular Orders from their reſpective Maſters; he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, being then Lord High Treaſurer of *Great Britain*, and one of Her Majeſty's Moſt Hon. Privy Council, in Violation of his Oath, and the Duty and Truſt repoſed in him, did take upon himſelf an arbitrary and illegal Power, to refuſe and put a Stop to the Pay and Subſidies due on Account of the ſaid foreign Troops, altho' they were intitled thereto by the Conventions entered into with Her Sacred Majeſty, and by expreſs Proviſion made by Act of Parliament for the Payment of the ſame. By which fatal Separation, which, purſuant to his evil Counſels, was afterwards made, great Numbers of the Confederate Troops, who had before, on many Occaſions, ſignaliz'd themſelves in the Defence of the Cauſe of *Europe*, ſoon afterwards, at the unfortunate Action of *Denain*, fell as Sacrifices to the Fury and Revenge of *France*; the Siege of *Landrecy* was raiſed; the important Towns and Fortreſſes of *Queſnoy*, *Bouchain*, and *Douay*, were retaken by the *French* Army; and not only the Fortune of the War, but the Fate of *Europe*, decided in Favour of *France*.

ARTICLE X.

That in further Execution of his pernicious Deſigns, to compleat the Deſtruction of the Common Cauſe of *Europe*, and to render it impracticable for Her Majeſty to reſume the War againſt *France*, in Conjunction with her Allies, or to recover the Union with Her Majeſty's old and faithful Allies, ſo neceſſary to the Preſervation of theſe Kingdoms; he the ſaid *Robert*, E. of *Oxford* and E. *Mortimer*, then Lord High Treaſurer of *Great Britain*, did carry on and concert with the Miniſters of *France*, a Private and Separate Negotiation for a General Suſpenſion by Sea and Land, between *Great Britain* and *France*; and to that End, among others, did adviſe Her Majeſty to ſend over *Henry*, Viſc. *Bolingbroke*, One of her Principal Secretaries of State, to the Court of *France*, with

with Powers to ſettle the ſaid Suſpenſion. In purſuance of which, a deſtructive Treaty of Suſpenſion was made in *France* on the Nineteenth of *Auguſt* N. S. 1712, by the ſaid *Henry*, Viſcount *Bolingbroke*, on the part of Her ſaid Majeſty, for Four Months, without the Knowledge or any Participation of the Allies, and before any Terms of Peace were ſettled with the Enemy, either for *Great Britain* or the Allies. By which evil Counſels, the expreſs Terms of ſeveral of the aforemention'd Treaties were expreſly contravened and broken, the good Friends and ancient Allies of Her Majeſty and theſe Kingdoms, were totally depriv'd of the juſt Aſſiſtance to which they were thereby intitled, and were left expos'd to the Inſults of the common Enemy; and the Sacred Ties of Union and Friendſhip between Her Majeſty and her Allies being cut aſunder, Her Majeſty's Perſon and Government, the Safety of her Kingdoms, and the *Proteſtant* Succeſſion to the Crown of theſe Realms, were left expos'd to the Enterprizes of her moſt formidable Enemy.

ARTICLE XI.

That whereas the States General of the *United Provinces* were, in or about the Month of *September* or *October*, in the Year of our Lord 1712, in Poſſeſſion of the ſtrong and important Town and Fortreſs of *Tournay*: And whereas the *French* King had, during the Courſe of the ſaid private, ſeparate, and traiterous Negotiation, between him the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, and others, and the Miniſters of *France*, ſignify'd his Conſent to the Miniſters of *Great Britain*, that the ſaid Town and Fortreſs of *Tournay* ſhould remain to the ſaid States General as Part of their Barrier: And whereas Her Majeſty, in Her Inſtructions of *December* the Twenty Third, 1711, to her Plenipotentiaries at *Utrecht*, had expreſly directed them to inſiſt with the Plenipotentiaries of *France*, in the General Congreſs, That towards forming a ſufficient Barrier for the States-General, *Tournay* ſhould remain to Their High Mightineſſes; and did afterwards declare her ſelf conformably thereunto, in her Speech to both Houſes of Parliament, on the Sixth of *June* 1712, in which ſhe communicated to them the Terms whereon a Peace might be made. And whereas for ſeveral Years before, and till the ſaid Months of *September* and *October*, in the Year of our Lord 1711, there was

open

open War between her late Majeſty and the *French* King, and the ſaid War continuing for all the ſaid Time, and afterwards, the ſaid *French* King and his Subjects were Enemies to Her Majeſty: He the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, then Lord High Treaſurer of *Great Britain*, and a Subject of Her Majeſty's, not conſidering the Duty of his Allegiance, but having altogether withdrawn the cordial Love, and true and due Obedience, which every true and faithful Subject owed to Her ſaid Majeſty, and deſigning to give Aid and Succour, and to adhere to the ſaid *French* King, did, in or about the Months of *September* or *October*, 1712, during the ſaid War, falſly, maliciouſly, wickedly, and traiterouſly aid, help, and aſſiſt, and adhere to the *French* King, than an Enemy to her late Majeſty: and in execution and performance of his ſaid aiding, aſſiſting, and adhering, maliciouſly, falſly, and traiterouſly did counſel and adviſe the ſaid Enemy, in what manner and by what methods the ſaid important Town and Fortreſs of *Tournay*, than in poſſeſſion of the States-General, might be gain'd from them to the *French* King, contrary to the Duty of his Allegiance, and the Laws and Statutes of this Realm.

ARTICLE XII.

That whereas her late Majeſty Queen *Anne*, not only in purſuance of the Treaties ſhe ſtood engaged in to her good Allies, and in particular to his Imperial Majeſty, for the Recovery of the Monarchy of *Spain* to the Houſe of *Auſtria*, thereby to preſerve a due Ballance of Power in *Europe*, but alſo from her juſt Reſentment againſt the Duke of *Anjou*, who then ſtiled himſelf King of *Spain*, and who, in defiance of her Majeſty's Title to the Crown, had acknowledg'd the Pretender as King of *Great Britain*: and on theſe juſt Foundations her Majeſty had, in vindication of the Honour of the Crown, and in juſtice to her People, at a vaſt Expence of Blood and Treaſure, and on the earneſt and repeated Advices of her Parliament, proſecuted a vigorous War againſt the ſaid D. of *Anjou*. And whereas, in the Years of our Lord 1710, 1711, 1712. the ſaid open, bloody, and expenſive War was carried on between her ſaid late Maj. Queen *Anne*, and the ſaid Duke of *Anjou*, and during all the time aforeſaid the ſaid War did continue, and for all that time the ſaid Duke of *Anjou*, and the Subjects of *Spain*

adhering to him, were Enemies of her late Majeſty: He the ſaid *Robert* Earl of *Oxford* and Earl *Mortimer*, then Lord High Treaſurer of *Great Britain*, and one of her Majeſty's Privy Council, and a Subject of her ſaid Majeſty, not conſidering the Duty of his Allegiance, but having withdrawn his true Obedience from her ſaid late Majeſty, did at ſeveral times, in the ſaid Years of our Lord, 1710, 1711, and 1712, falſly, maliciouſly, wickedly, and traiterouſly, aid, help, aſſiſt, and adhere to the ſaid Duke of *Anjou*, then an Enemy to her ſaid late Majeſty; and in the execution and performance of his ſaid aiding, helping, aſſiſting and adhering, and in Confederacy and Combination with the then Enemies of her late Majeſty, and with divers other wicked and evil diſpoſed Perſons, did at ſeveral times, in the Years aforeſaid, adviſe and counſel the Enemies of her late Majeſty; and in ſuch counſelling and adviſing, did concert with them, and did promote the yielding and giving up *Spain* and the *Weſt-Indies*, or ſome part thereof, to the ſaid Duke of *Anjou*, then in enmity with her Majeſty, againſt the Duty of his Allegiance, and the Laws and Statues of this Realm.

ARTICLE XIII.

That whereas the Riches, Power, and Strength of theſe Kingdoms depend entirely on the flouriſhing Condition of Trade and Navigation, and Her Late Majeſty Queen *Anne* having due regard thereto, as well as to the juſt Expectations of her People, after the vaſt Expences they had ſo chearfully undergone in ſupport of the War, did, on the firſt opening the Conferences for a general Peace, declare from the Throne to Both Houſes of Parliament, on the Seventh of *December*, 1711, That ſhe would endeavour that after a War, which had coſt ſo much Blood and Treaſure, the Nation might find their Intereſt in Trade and Commerce improv'd and enlarg'd by a Peace: And on the Sixth of *June* 1712, when ſhe was pleaſed to communicate the Terms on which a General Peace might be made, did declare, that nothing had moved Her Majeſty from ſteadily purſuing the true Intereſt of her own Kingdoms, and that the Terms of Peace obtain'd for her own Subjects were ſuch, as ſhe had Reaſon to expect would make her People ſome Amends for the great and unequal Burden which they had lain under thro' the whole Courſe of the War, and hoped that none

none of the Confederates would envy her Share in the Glory and Advantage; and afterwards declared to Both Houſes of Parliament her Satisfaction in the near View ſhe had of Peace, ſince it would in ſome meaſure recompenſe her Subject for their vaſt Expence: And after the Concluſion of the Treaty of Peace and Commerce with *France*, did declare from the Throne on the Ninth of *April* 1713, That the many Advantages ſhe had obtain'd for her Subjects, had occaſion'd much Oppoſition and long Delays to the Peace,; but it afforded her great Satisfaction, that her People will have it in their Power, by Degrees, to repair what they had ſuffered during ſo long and burdenſom a War. Whereon Both Houſes of Parliament did from Time to Time expreſs their grateful Acknowledgments to Her Majeſty, for her great Care and Concern for the Welfare of her People. And whereas at the ſetting on foot, and in the Progreſs of the ſaid private, ſeparate, and pernicious Negotiations between the Miniſters of *Great Britain* and *France*, it was laid down as a Principle, on the Part of *Great Britain*, never to be departed from, That *France* ſhould conſent to adjuſt the Intereſts of *Great Britain* in the firſt Place, that the Miniſters of *Great Britain* might thereby be enabled to engage the Queen to make the Concluſion of the General Peace eaſy to *France*; and on this plauſible Pretence it was inſiſted on by the Miniſters of *Great Britain*, to remit the Diſcuſſion of the particular Intereſts of the Allies to General Conferences; and throughout the whole Courſe of the ſaid ſeparate Negotiation, all imaginable Conceſſions were not only made by the Miniſters of *Great Britain* for the real Advantage of the Intereſts of *France* againſt the Allies, but all Meaſures were entred into and concerted between them, that even the Miniſters of *France* could dictate, in order to ſtrengthen their Hands, and to enable them to impoſe the Terms of a General Peace; He the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, having nothing in View, thro' the whole Courſe of the ſaid Negotiation, wherein he was wickedly and principally engag'd in concert with *France*, but the final Deſtruction of his Country, and to that end the ſacrificing the Commerce of *Great Britain* to the Aggrandiſement of *France*; was not only wanting in his Duty to Her Majeſty, in not inſiſting on in all Events, and not

procuring, in the firſt Place, the moſt certain and ſtrict Securities imaginable, for the Safety and Advantage of the Commerce of theſe Kingdoms; but did adviſe Her Late Majeſty, that in the Propoſitions ſent, by his Privity and Advice, by Mr. *Prior* to *France*, and alſo in the ſaid Private and Saparate Treaty, ſign'd on the ſaid Seven and Twentieth of *September* 1711, wherein the Preliminary Demands for *Great Britain* more particularly were intended to be adjuſted with *France*, the Demands for *Great Britain*, in Point of Commerce, ſhould not only be made in looſe, general, and inſufficient Terms, but that the Liberty of Fiſhing, and Drying of Fiſh on *Newfoundland*, ſhould be expreſly given up to *France*, tho' the Reſtitution of that ſmall Part of the Iſland, which *France* had taken during the War, was therein referr'd to be diſcuſs'd to General Conferences. And having by his wicked Artifices engag'd Her Majeſty in the ſaid Private Treaty with *France*, without any Security for the Commerce of *Great Britain*, he did artfully and cunningly contrive with the Miniſters of *France*, to keep in ſuſpenſe all Matters that concern'd the Commerce of *Great Britain*, until by means of his wicked and pernicious Counſels aforemention'd, *France* was become Maſter of the Negotiations, and the chief Advantages for the Commerce of *Great Britain* by that means remaining unſettled: And the Miniſters of *France* afterwards diſputing the moſt eſſential Articles which had been in agitation, and in particular that fundamental Principle of treating and being treated as *Gens Amiciſſima*, and endeavouring to elude what had been agreed on in the ſaid private and ſeparate Negotiation, for the ſuppoſed Advantage of *Great Britain*; he the ſaid *Robert*, Earl of *Oxford*, and Earl *Mortimer*, under pretence of removing a Difficulty then depending, by an Expedient advantageous to *Great Britain*, did treacherouſly adviſe the Ninth Article of the Treaty of Commerce with *France*, a Bill for the rendering whereof effectual, was afterwards rejected by the Houſe of Commons, as highly prejudicial and deſtructive to the Commerce of theſe Kingdoms: But yet for the ſake of gaining that deſtructive Article for *Great Britain*, as if the ſame had been advantageous, he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, in defiance of the expreſs Proviſion of an Act of Parliament,

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as well as in contempt of the frequent and earneſt Repreſentations of the Merchants of *Great Britain*, and of the Commiſſioners for Trade and Plantations, did adviſe Her Majeſty finally to agree with *France*, That the Subjects of *France* ſhould have Liberty of Fiſhing and Drying Fiſh on *Newfoundland*; and did alſo adviſe Her Majeſty to make a Ceſſion to *France* of the Iſle of *Cape Breton*, with liberty to fortify the ſame, altho' the Iſle of *Cape Breton* was Part of the ancient Teritories of the Crown of *Great Britain*; and Her Majeſty had declared from the Throne, that *France* had conſented to make an abſolute Ceſſion of *Nova Scotia* or *Acadia*, whereof *Cape Breton* is Part, to Her Majeſty. And the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, intending in all Events to ſecure to *France* the Advantages relating to the Fiſhery of *Newfoundland* and to *Cape Breton*, did, in Conjunction with the Miniſters of *France*, adviſe Her Majeſty to conſent, that the ſame ſhould be made an Article in the Treaty of Peace between *Great Britain* and *France*: Whereas the only Advantages in Trade, pretended to be ſtipulated for *Great Britain*, being inſerted in the Treaty of Commerce, were to depend on certain Conditions, to be made good by Act of Parliament; and purſuant to, and by the Influence of the ſaid evil Counſel of him the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, Her Sacred Majeſty was adviſ'd to ratify the ſaid Article in the ſaid Treaty of Peace, and the ſaid Treaty of Commerce. By means of which pernicious Counſels, the good Intentions of Her Sacred Majeſty, to have obtain'd for her People advantageous Terms of Commerce, were entirely fruſtrated, the Trade and Manufactures of *Great Britain*, as far as in him lay, render'd Precarious, and at the Mercy of the Enemy, and that beneficial Branch of Trade, always eſteem'd the great Support of the Naval Power, and the chief Nurſery of the Seamen of *Great Britain*, yielded up to the Subjects of *France*: and the only Pretence for the avow'd and notorious Violation of Treaties, and the carrying on the Meaſures of *France*, *viz.* the adjuſting firſt the Intereſts of *Great Britain*, thro' the whole Courſe of the ſaid Private and Separate Negotiations, terminated at laſt in the Sacrifice of the Commerce of *Great Britain* to *France*, without the leaſt Shadow of Advantage in Trade procur'd for theſe Kingdoms.

ARTICLE

ARTICLE XIV.

That he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer* did, in concert with other evil and falſe Counſellors, even without any Application from his Royal Highneſs the Duke of *Savoy*, and after the *French* King had in the Courſe of the ſaid Private and Separate Negotiations, conſented that the Kingdom of *Sicily* ſhould remain to the Houſe of *Auſtria*, from a Project and Deſign to diſpoſe of the Kingdom of *Sicily* to the Duke of *Savoy* from the Houſe of *Auſtria*: And to effect that his unjuſt, diſhonourable, and pernicious Project, he did adviſe Her Majeſty to give Inſtructions, among other Things, to *Henry* Viſcount *Bolingbroke*, then appointed her Ambaſſador to *France*, to demand in Her Majeſty's Name, of the *French* King, the Kingdom of *Sicily* for his ſaid Royal Highneſs. And a Treaty of Peace being afterwards made between the *French* King, his Royal Highneſs, and the Duke of *Anjou*, wherein a Ceſſion is made to his Royal Highneſs of the Kingdom of *Sicily*, without any Concurrence or Participation of his Imperial Majeſty; he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer* did baſely and ſcandalouſly adviſe Her Sacred Majeſty to conſent to the ſame, by an Article inſerted in the Treaty of Peace between Her Majeſty and the *French* King. And afterwards, by his Privity and Advice, Her Majeſty was prevail'd on to aſſiſt his Royal Highneſs againſt the Emperor then in Alliance with Her Majeſty, with a Part of her Royal Fleet at her own Expence, in order to put him in Poſſeſſion of the ſaid Kingdom of *Sicily*. Whereby the greateſt Injuſtice was done to His Imperial Majeſty, in direct Violation of the Grand Alliance, and contrary to Her Majeſty's frequent Declarations from the Throne, and her plain and full Inſtructions to her Plenipotentiaries at *Utrecht*, for obtaining his juſt and reaſonable Satisfaction; and whereby National Faith, and the Honour of the Crown, was vilely betray'd, and the Naval Power of theſe Kingdoms, and the Supplies granted by Parliament for reducing the Common Enemy, were perfidiouſly employ'd againſt the Great and Faithful Ally of this Kingdom.

ARTICLE XV.

That whereas the Dignity and Support of the Imperial Crown of theſe Realms has in all Ages greatly depended on the Wiſdom and Truth of the Communications made from the Throne, eſpecially in Parliament, as the ſure and only means whereby the Kings and Queens of this Realm can receive the ſincere and faithful Advice of their People in matters of the higheſt Importance, and which by the Fundamental Laws and Conſtitution of this Government ought to be inviolably obſerv'd as the Sacred Band of the Duty and Affection of Subjects to their Sovereign. And whereas by the moſt antient known Laws of this Kingdom, it is indiſpenſably incumbent on the Great Officers of State that ſurround the Throne, to maintain as far as in them lies the Sacredneſs of the Royal Word on all occaſions; it being moſt apparent, that the greateſt Diſhonour to the Throne, and the greateſt Danger to theſe Kingdoms, muſt inevitably enſue, whenever that Fountain of Truth by wicked Counſels ſhall be in any degree corrupted, and thereby loſe its juſt Influence and neceſſary Authority. And whereas the Power of making Peace and War, one of the antient, undoubted, and moſt important Prerogatives of the Crown, has been always exercis'd by the Sovereigns of theſe Realms, with the ſtricteſt Regard to the Honour of the Crown and the Welfare of the People, and for that end they have in great Wiſdom in all Ages taken the Advice of Parliament on ſuch weighty Occaſions. And whereas her late Majeſty Queen *Anne* declar'd from the Throne her gracious Intentions to communicate the Terms of Peace to her Parliament for their deliberate and ſerious Advice therein, wiſely foreſeeing that the Safety of her Perſon and Government, of the *Proteſtant* Succeſſion to the Crown, which ſhe had neareſt her Heart, and of the *Proteſtant* Religion, and of the Liberties of *Europe*, did inevitably depend on the happy Concluſion of the ſaid Negotiations: He the ſaid *Robert* Earl of *Oxford* and Earl *Mortimer*, then Lord High Treaſurer of *Great Britain*, having taken on himſelf throughout the ſaid Negotiations a moſt Arbitrary and Unwarrantable Authority, and the chief Direction and Influence in her Majeſty's Councils; and moſt wickedly deſigning to proſtitute the Honour of the Crown, and the Dignity of Parliaments, and not only totally

tally to deprive her Majeſty of the wholſome and neceſſary Advice of her Parliament in ſo great a Conjuncture, but by miſrepreſenting the moſt eſſential Parts of the Negotiations of Peace, to obtain the Sanction of Parliament to his traiterous Proceedings, and thereby fatally to deceive her Majeſty, her Allies, her Parliament, and her People; he the ſaid *Robert* Earl of *Oxford* and Earl *Mortimer*, was not only wanting in the Diſcharge of that Duty to his Sovereign which became his high Station, by not adviſing againſt, and as far as in him lay in all Events, by not preventiug even any Intimation from the Throne to the Parliament, which was not conformable to the exacteſt Truth and Impartiality; but taking advantage of his ready Acceſs to her Majeſty, and his exorbitant Influence in her Councils, did prepare, form, and concert, together with other falſe and evil Counſellors, ſeveral Speeches and Declarations to be made by her Majeſty from the Throne to her Parliament, on the Subject of the ſaid Negotiations of Peace, and did adviſe her Majeſty to make the ſame to her Parliament. And particularly, by means of his falſe and evil Counſels, her Majeſty did, amongſt other things, on the ſeventh of *December*, 1711, declare from the Throne in theſe Words, or to the effect following: *That notwithſtanding the Arts of thoſe who delight in War, both Place and Time are appointed for opening the Treaty of a General Peace. Our Allies, eſpecially the States General, whoſe Intereſt I look upon as inſeparable from my own, have by their ready Concurrence expreſs'd their Confidence in me.* Whereas it was then notorious to all *Europe*, and the ſaid *Robert* Earl of *Oxford* and Earl *Mortimer*, and others his Accomplices, well, knew that the principal Allies of her Majeſty, and particularly the States General, then had in the ſtrongeſt and moſt preſſing manner repreſented not only to her Majeſty's Miniſters in *Holland*, but afterwards by a Miniſter of their own directly to her Majeſty, the Inſecurity and Danger to the Common Cauſe, by entring into General Negotiations with *France* on the Propoſitions ſign'd by Monſieur *Meſnager*, and alſo their firm Opinion of the fatal Conſequences that might enſue thereon: and altho' they had ſtill great Apprehenſions concerning the Method of opening the Conferences, and the Conſequences that might happen thereupon

upon; yet being wrought on by the Menaces and other extraordinary Methods us'd with them by Her Majesty's Ministers, and relying on the solemn Assurances and Declarations of Her Majesty to support the Interest and Concern of their State, and to act in perfect Confidence and Harmony with them; they did at last, with the greatest Reluctance, consent to enter upon a General Negotiation of Peace with *France*. And in the same Speech Her Majesty was prevail'd upon by the evil Counsels of him the said *Robert*, Earl of *Oxford* and Earl *Mortimer*, and others, to declare in the Words, or to the Effect following: *That the Princes and States which have been engag'd with us in this War, being by Treaties entitled to have their several Interests secur'd at a Peace; I will not only do my utmost to procure every one of them all reasonable Satisfaction, but I shall also unite with them in the strictest Engagements for continuing the Alliance, in order to render the General Peace secure and lasting.* And in her Message of the Seventeenth of *January* following, Her Majesty again expresses the Care she intended to take of all her Allies, and the strict Union in which she propos'd to join with them. Whereas by the evil Influence of him the said *Robert*, Earl of *Oxford* and Earl *Mortimer*, Her Majesty was not only induced to enter into a Private Negotiation with *France*, exclusive of her Allies; but the same was in like manner carry'd on by him the said *Robert*, Earl of *Oxford* and Earl *Mortimer*, and others. And the several Interests which the Allies were intitled to by their Treaties, were not only not secured to them by the Peace, nor any reasonable Satisfaction given to them; but the Main Interests of her principal Allies, especially of His Imperial Majesty, were, by the wicked Practices of him the said *Robert*, Earl of *Oxford* and Earl *Mortimer*, and others, given up to *France*; and no Engagements were obtained for continuing the Alliance, in order to render the General Peace secure and lasting. And Her Majesty having on many former Occasions expressed her Resolutions never to make Peace with *France* and *Spain*, so long as *Spain* and the *West-Indies* remained in the House of *Bourbon*; she was prevail'd upon by the Advice of him the said *Robert*, Earl of *Oxford* and E. *Mortimer*, and others, to declare her self, in Answer to an Address of the House of Peers, the Eleventh of *December*, 1711, to the Effect following: viz. *I should be sorry any one could think I*

would not do my utmoſt to recover Spain *and the* Indies *from the Houſe of* Bourbon. Whereas it is moſt manifeſt, that the leaving the Kingdom of *Spain and the* Indies in *the Houſe of* Bourbon was the Foundation of the Private and Separate Treaty between *Great Britain* and *France*, which had been before that Time ſigned even with Her Majeſty's Conſent; and the ſame fundamental Reſolution was immutably obſerved between them, to the Concluſion of the Peace. And Her Majeſty having frequently declared from the Throne, that her Reſolutions in entring into the ſaid Negotiations were to obtain a General, Good, and Laſting Peace; and the Plenipotentiaries at *Utrecht* being inſtructed to treat with *France* conformably to that End, he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, in order to remove the juſt Suſpicions which had been conceived of his Private and Separate Negotiations with *France*, did adviſe Her Majeſty to make this further Declaration in her ſaid Meſſage, the Seventeenth of *January*, That *the World will now ſee how groundleſs thoſe Reports are, which have been ſpread abroad by Men of Evil Intentions, to ſerve the worſt Deſigns; as if a Separate Peace had been treated, for which there has not been the leaſt Colour given:* Whereas a Private and Separate Negotiation had been carried on for Five Months together between *Great Britain* and *France*; and during that Time Private Propoſitions had been ſent from *England*, and a Private Treaty with a Miniſter of *France* ſigned, even by Her Majeſty's Privity, excluſive of all the Allies, before the ſaid Declaration made by Her Majeſty. And Private and Separate Meaſures were thenceforth carried on by the ſaid *Rob.* E. of *Ox-d* and E. *M mer*, and his Accomplices, on Behalf of Her Maj. with the Miniſters of *Fran.* even to the Concluſion of the Peace with *France*. Her Maj. was further prevail'd on by the wicked Advice of him the ſaid *Rob.* E. of *Oxf-d* and E. *Mo-mer*, in her Speech of *June* 6, 1712, to declare, That to prevent the Union of the Two Crowns, ſhe would not be content with what was ſpeculative, but inſiſted upon ſomething ſolid: And in the ſame Speech to the Effect following, *viz.*, *The Nature of the Propoſal for a Renunciation is ſuch, that it executes it ſelf, and* France *and* Spain *are thereby more effectually divided than ever:* Whereas the Miniſters of *France* had before that Time aſſured the Miniſters of Her Majeſty, That to accept of the Expedient propoſed on Her Majeſty's Behalf, would be to build on a

Sandy

Sandy Foundation; and that the Renunciation would be null and void by the Fundamental Laws of *France*; and that they would deceive themſelves, who accepted it as an Expedient to prevent the Union of the Two Crowns. And not only in the Particulars before-mentioned, but in many others contained in the ſaid ſeveral Speeches and Meſſages made and ſent to her Parliament, even while the ſaid Negotiations of Peace with *France* were depending, the moſt eſſential Points relating to Peace and Commerce, and which concerned the Intereſt as well of the Allies as of *Great Britain*, were groſly miſrepreſented. By all which wicked, treacherous, and unexampled evil Councils, he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer* did moſt baſely, ungratefully, and ſcandalouſly abuſe the Favour of his Royal Miſtreſs, and by means of her Authority did miſlead her Parliament into groundleſs and fatal Reſolutions; and thereby not only prevented the juſt Advice of the Parliament to Her Majeſty in that critical Juncture, but obtained the Approbation of Parliament to his myſterious and dangerous Practices; and did not only deprive Her Majeſty of the Confidence and Affection of her Allies, but expoſed Her Majeſty and her People to the Contempt of the Common Enemy.

ARTICLE XVI.

That whereas the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer* having on all Occaſions uſed his utmoſt Endeavours to ſubvert the ancient eſtabliſhed Conſtitution of Parliaments, the great and only Security of the Prerogative of the Crown, and of the Rights, Liberties, and Properties of the People, and being moſt wickedly Determined at one fatal Blow, as far as in him lay, to deſtroy the Freedom and Independency of the Houſe of Lords, the great Ornament and neareſt Support of the Imperial Crown of theſe Realms, and falſly intending to diſguiſe his miſchievous Purpoſes under a pretended Zeal for the Prerogative of the Crown; he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, on or about the Months of *December* or *January*, 1711, whilſt the Houſe of Lords were under an Adjournment, and had Reaſon to expect that on their next Meeting Matters of the higheſt Importance would be communicated to them from the Throne, they having ſome few Days be-

fore given their humble Opinion and Advice to Her Majeſty, That no Peace could be Safe or Honourable to *Great Britain* or *Europe*, if *Spain* and the *Weſt-Indies* were to be allotted to any Branch of the Houſe of *Bourbon*; being then Lord High Treaſurer of *Great Britain*, and one of Her Majeſty's Privy Council, and aſſuming to himſelf an arbitrary Direction and Controul in Her Majeſty's Councils, contrary to his Duty and his Oath, and in Violation of the great Truſt repoſed in him, and with an immediate Purpoſe to render ineffectual the many earneſt Repreſentations of Her Majeſty's Allies againſt the ſaid Negotiations of Peace, as well as to prevent the good Effects of the ſaid Advice of the Houſe of Lords; and in order to obtain ſuch further Reſolutions of that Houſe of Parliament on the important Subject of the Negotiations of Peace, as might ſhelter and promote his ſecret and unwarantable Proceedings, together with other falſe and evil Counſellors, did adviſe Her Majeſty to make and create Twelve Peers of this Realm, and Lords of Parliament; and purſuant to his deſtructive Counſels, Letters Patents did forthwith paſs, and Writs iſſued, whereby Twelve Peers were made and created: And did likewiſe adviſe Her Majeſty immediately to call and ſummon them to Parliament; which being done accordingly, they took their Seats in the Houſe of Lords on or about the Second of *January*, 1711, to which Day the Houſe then ſtood adjourned. Whereby the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer* did moſt highly abuſe the Influence he then had with Her Majeſty, and prevailed on her to exerciſe, in the moſt unprecedented and dangerous Manner, that valuable and undoubted Prerogative, which the Wiſdom of the Laws and Conſtitution of this Kingdom hath entruſted with the Crown for the rewarding ſignal Virtue and diſtinguiſhed Merit. By which deſperate Advice he did not only, as far as in him lay, deprive Her Majeſty of the Countenance of thoſe ſeaſonable and wholeſom Counſels in that critical Juncture, but wickedly perverted the true and only End of that great and uſeful Prerogative, to the Diſhonour of the Crown, and the irreparable Miſchief to the Conſtitution of Parliaments. All which Crimes and Miſdemeanors, committed and done by him the ſaid Earl againſt our late Sovereign Lady the Queen,

Queen, her Crown and Dignity, the Peace and Intereſt of this Kingdom, and in Breach of the ſeveral Truſts repoſed in him the ſaid Earl, and he the ſaid Earl of *Oxford* and Earl *Mortimer* was Lord High Treaſurer of *Great Britain*, and one of Her Majeſty's Privy Council during the Time that all and every the Crimes before ſet forth were done and committed. For which Matters and Things, the Knights, Citizens, and Burgeſſes of the Houſe of Commons in Parliament aſſembled, do, in the Name of themſelves, and of all the Commons of *Great Britain*, impeach the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer* of High Treaſon, and other High Crimes and Miſdemeanors in the ſaid Articles contained. And the ſaid Commons by Proteſtation ſaving to themſelves the Liberty of Exhibiting, at any Time hereafter, any other Accuſations or Impeachments againſt the ſaid Earl, and alſo of replying to the Anſwers which the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer* ſhall make to the Premiſes, or any of them, or to any Impeachment or Accuſation that ſhall be by them exhibited, according to the Courſe and Proceedings of Parliament, do pray that the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer* be put to anſwer all and every the Premiſes; and that ſuch Proceedings, Examinations, Tryals and Judgments may be upon them, and every of them had and uſed, as ſhall be agreeable to Law and Juſtice. And they do further pray and demand, That the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer* may be ſequeſtred from Parliament, and forthwith committed to ſafe Cuſtody.

AS SOON as the Lord *Coningsby*, and the Commoners that accompanied him, were withdrawn, a *Tory* Lord moved, that the Conſideration of the *Articles* of *Impeachment* be adjourn'd to the *Monday* following, and was back'd by ſeveral Peers of the ſame Side; particularly by the Biſhop of *Rocheſter*, who urged, 'That this Accuſation 'was of ſo extraordinary a Nature, and ſo very impor-'tant, both in it ſelf and its Conſequences, that the Houſe 'ought to proceed on it with the utmoſt Caution and 'Deliberation." But he was ſmartly anſwer'd, by a *Scotch* Duke of bright Parts, who, among other Things, ſaid, 'It was well known, the Prelate who ſpoke laſt, had, of 'late, ſtudy'd more *Politicks* than *Divinity*; and was

'thoroughly

'thoroughly acquainted with the Subject Mat-
'ter of the Articles, that lay before them;
'And therefore his Grace did not doubt, but
'his Lordſhip was now as ready to ſpeak to
'them, as he could ever be, if he had more
'Time to conſider of them." After a Debate of about an Hour and a Half, the Queſtion for *Adjourning* was put, and carried in the *Negative*, by a *Majority* of 86 Voices againſt 54; And thereupon the *Articles of Impeachment* were read, which took up till about Eight in the Evening. Then a Motion was made, (by the ſame Side that was for adjourning) *That the Judges* be conſulted; that the Houſe might be ſatisfied, whether the Charge contain'd in the ſaid Articles amounted to *Treaſon?* The Lords *Trevor*, and *Harcourt*, the Dukes of *Shrewsbury* and *Leeds*, the Earl of *Poulet*, the Ld. *North and Grey*, the Biſhop of *Rocheſter*, and ſome other Peers of that Side, were for the *Affirmative*; But the Lord *Cowper*, Lord Chancellor; the Dukes of *Argyle* and *Montroſs*, the Earls of *Nottingham*, *Sunderland*, *Dorſet*, and *Iſla*; the Lord Viſcount *Townſhend*, and ſome other *Lords* of the *Court-Party*, ſpoke for the *Negative*. The Lord *Trevor* having gone ſo far as to declare his Opinion, That none of the *Articles* amounted to *High-Treaſon*; he was anſwer'd by the Lord *Cowper*, who ſhew'd the Contrary; and challenged all the Lawyers in *England* to diſprove his Arguments. Nevertheleſs, the *Tory* Lords ſtill inſiſting on the Conſulting of the *Judges*, the Earl of *Nottingham*, repreſented to them, 'That inſtead of favouring,
'thereby, the Noble Perſon who had the
'Misfortune to be impeach'd, as, undoubtedly,
'they meant it, they might, on the Contrary,
'do him a great Prejudice; For if upon Con-
'ſulting the Judges, they declared the Charge
'to amount to *Treaſon*, the ſaid Lord would
'ſtand prejudged, before he was brought to his
'Tryal.

'Tryal.' After ſome other Speeches, the *Queſtion* was put upon the Motion beforemention'd, and carried in the *Negative* by 84 Voices againſt 52. And then it was moved by the Court Party, That the Earl of *Oxford* be committed to ſafe Cuſtody: Which occaſion'd a freſh Debate. Several Members of Both Sides, having declared their Opinion upon that Motion, the E. of *Oxford* thought it high Time for him to ſpeak for himſelf, which he did to this Effect:

The E. of Oxford's Speech in the Lords Houſe, July 9th.

'*My Lord*,

'IT is a very great Misfortune for any Man 'to fall under the Diſpleaſure of ſo great 'and ſo powerful a Body as the Commons of 'Great Britain: And this Misfortune is the heavier upon me, becauſe I had the Honour to be 'placed at the Head of the Late Miniſtry, and 'muſt now, it ſeems, be made accountable for all 'the Meaſures that were then purſued. But, on 'the other hand, 'tis a very great Comfort to me 'under this Misfortune, that I have the Honour 'to be a Member of this auguſt Aſſembly: An 'Aſſembly which always ſquares their Proceedings and Judgments by the Rules of Honour, 'Juſtice, and Equity; and is not to be byaſs'd by 'a Spirit of Party.

'*My Lord*,

'I could ſay a great deal to clear my ſelf of 'the Charge which is brought againſt me: But as 'I now labour under an Indiſpoſition of Body, 'beſides the Fatigue of this long Sitting, I ſhall 'contract what I have to ſay within a very Narrow Compaſs. This whole Accuſation may, it 'ſeems, be reduced to the Negotiation and Concluſion of the Peace: That the Nation wanted 'a Peace, no Body will deny; and, I hope, it 'will be as eaſily made out, that the Conditions 'of this Peace are as good as could be expected, 'conſidering the Circumſtances wherein it was 'made, and the Backwardneſs and Reluctancy 'which ſome of the Allies ſhew'd to come into the

'the Queen's Measures. This is certain, that 'this Peace, as bad as it is now represented, was 'approved by Two successive Parliaments. It is, 'indeed, suggested against this Peace, that it was 'a Separate One: But I hope, My Lord, it will 'be made appear, that it was General; and that 'twas *France*, and not *Great Britain*, that 'made the first steps towards a Negotiation. 'And, My Lord, I will be bold to say, that du-'ring my whole Administration, the Sovereign 'upon the Throne was loved at Home, and feared 'Abroad.

'As to the Business of *Tournay*, which is made 'a Capital Charge, I can safely aver, that I had 'no manner of Share in it; and that the same 'was wholly transacted by that unfortunate No-'bleman who thought fit to step aside: But I dare 'say in his behalf, that if this Charge could be 'proved, it would not amount to *Treason*. For 'my own part, as I always acted by the imme-'diate Directions and Commands of the late 'Queen, and never offended against any Known 'Law, I am justify'd in my own Conscience, and 'unconcern'd for the Life of an insignificant Old 'Man. But I cannot, without the highest Ingra-'titude, be unconcern'd for the Best of Queens: 'A Queen who heap'd upon me Honours and Pre-'ferments, tho' I never ask'd for them; and 'therefore I think my self under an Obligation 'to vindicate her Memory, and the Measures she 'pursued, to my Dying Breath.

'*My Lord*,

'If Ministers of State, acting by the imme-'diate Commands of their Sovereign, are after-'wards to be made accountable for their Pro-'ceedings, it may, one Day or other, be the 'Case of all the Members of this august Assem-'bly: I don't doubt, therefore, that out of Re-'gard to your selves, Your Lordships will give 'me an equitable Hearing; and I hope that, in 'the Prosecution of this Inquiry, it will appear,

'that

'that I have merited not only the *Indulgence*, but 'likewiſe the Favour of the Government.

'*My Lord*,

'I am now to take my leave of Your Lord-'ſhip, and of this Honourable Houſe, perhaps 'for ever! I ſhall lay down my Life with Plea-'ſure, in a Cauſe favour'd by my late dear Roy-'al Miſtreſs. And when I conſider that I am to 'be judged by the Juſtice, Honour, and Virtue 'of my Peers, I ſhall acquieſce, and retire with 'great Content: And, My Lords, *God's Will 'be done.*

Before the Queſtion for committing the Earl of *Oxford* to ſafe Cuſtody was put, the Duke of *Shrewsbury* acquainted the Houſe, That the ſaid Earl was, at preſent, very much indiſpos'd with the Gravel; and therefore he hoped the Houſe would not immediately ſend him to the *Tower*, but ſuffer him to be, for Two or Three Days, under the Cuſtody of the *Black Rod* at his own Houſe, where he might have the Attendance and 'Aſſiſtance of his Relations and Servants: That, 'however, he (the Duke of *Shrewsbury*) did not 'propoſe this as a Motion, becauſe he was againſt 'committing him at all; but only left it to the 'Conſideration of the Houſe.' His Grace was 'ſeconded by the Earl of *Poulet*; and no Oppo-'ſition being made by the other Party, the Earl of *Oxford* withdrew, leaving Word, with the Uſher of the *Black-Rod*, that he would be at Home. After this the Queſtion was put, *That the ſaid Earl be committed to ſafe Cuſtody*, which was carried in the Affirmative, by 82 Voices, againſt 50; and ſo the Houſe roſe, about a Quarter paſt One in the Morning; when the Uſher of the *Black-Rod* went to the Earl of *Oxford*'s Houſe; communicated to him the Order of the Houſe of Peers, for taking him into Cuſtody; and left ſome of his Officers for that Purpoſe in His Lordſhip's Houſe. It was obſerv'd that when the Earl of *Oxford* went home, he was attend-

The E. of Oxford *under the Cuſtody of the* Black Rod.

ed by a Mob that cry'd out *High Church, ORMOND, and OXFORD for ever*, &c. It was likewise obſerv'd, that of Twenty Biſhops who were that Day in the Houſe, Six only were for the Earl of *Oxford*, *viz.* The Archbiſhop of *York*, and the Biſhops of *London*, *Rocheſter*, *Briſtol*, *Cheſter*, and *Durham*.

On *Monday* the 11th of *July*, the Lord *Coningsby* acquainted the Commons, 'That he 'did, the *Saturday* before, at the Bar of the 'Houſe of Lords, impeach *Robert*, Earl of '*Oxford* and Earl *Mortimer* of *High Treaſon*, 'and other High Crimes, and Miſdemeanors, 'and deliver'd in the Articles of Impeachment 'againſt him; and did pray and demand that the 'ſaid Earl might be ſequeſter'd from Parlia-'ment, and forthwith committed to ſafe Cuſto-* *July* 11. 'dy.' The ſame Day * the Lords *order'd*, That the Earl of *Oxford* be brought to the Bar of their Houſe the next Morning, in order to be ſent to the *Tower*; and then Their Lordſhips ſent a Meſſage to the Commons, to acquaint that Honourable Houſe, 'That the Lords had or-'der'd the *Black-Rod* to attach and take into 'ſafe Cuſtody *Robert*, Earl of *Oxford* and 'Earl *Mortimer*; and that the *Black-Rod* 'had returned to the Lords, that he had ac-'cordingly attach'd the ſaid Earl, and had 'him now in ſafe Cuſtody.

The E. of Oxford *brought to the Bar of the Lords Houſe.*

On *Tueſday* the Twelfth of *July*, the Earl of *Oxford* was, according to Order, brought to the Bar of the Lords Houſe, where having receiv'd a Copy of the *Articles of Impeachment* againſt him, he repreſented to Their Lordſhips, 'That the Ableſt Men in 'the Nation had been many Weeks in draw-'ing up thoſe long Articles againſt him; and 'therefore he hoped the Houſe would allow 'him a proportionable Time to anſwer 'them.' His Lordſhip took that Occaſion

to

to return their Lordſhips his hearty Thanks for their great Humanity in not ſending him to the Tower *the* Saturday *before; and as he ſtill labour'd under the ſame Indiſpoſition of Body, he humbly deſired their Lordſhips to permit him to continue ſome few Days more at his own Houſe under the Cuſtody of the* Black Rod. The Earl of *Oxford* being withdrawn to the *Black-Rod-Room*, the Lords reſolv'd to allow him a Month to anſwer the *Articles* of *Impeachment*; and as to his laſt Requeſt, Dr. *Mead*, one of his Lordſhip's Phyſicians, being conſulted, and having made a kind of *Affidavit, That if the Earl were ſent to the* Tower, *his Life would be in Danger:* A Motion was made, *that he might continue in his Houſe till the* Monday *following:* But this was oppoſed, and after a warm Debate, it was carried, by Eighty One Voices againſt Fifty Five, that he ſhould be carried into the *Tower*, on *Saturday* the 16th of *July*. The moſt remarkable Paſſage in this Day's Debate, was as follows: The Earl of *Angleſea*, having ſaid, 'That it was to be feared, theſe *Violent Meaſures would make the Scepter ſhake in the King's Hands:*" Moſt of the Members were offended at this Suggeſtion, and ſome cry'd *the Tower*, and others only *to Order*. The Earl of *Sutherland*, One of the Sixteen Peers of *North Britain*, who, in the Worſt of Times, had given ſignal Proofs of his Affection to the *Hanover* Succeſſion, ſtanding up, ſaid, 'He trembled with Indignation to hear ſuch Words pronounc'd in that Noble Aſſembly; that if they had been ſpoke any where elſe, he would call the Perſon that ſpoke them to an Account: But all he could do there was to move that he might explain himſelf." The Earl of *Sutherland* was Seconded by the Duke of *Roxburgh*, another *Scotch* Peer of Eminent Zeal and Affection for the preſent happy Settlement, who, among other

Remarkable Paſſage in the Lords Houſe July 14th.

Things, ſaid, That the SCEPTER WAS SO WELL RIVETTED IN THE KING's HAND, THAT INSTEAD OF SHAKING, IT WOULD CRUSH ALL HIS MAJESTY's ENEMIES. The Earl of *Berkley*, and ſome other Lords back'd alſo the Earl of *Sutherland*'s Motion: Whereupon the Earl of *Angleſea* ſtood up, and ſaid, 'That it was but too manifeſt, by 'the Riots that were daily committed in ſeveral 'Parts of the Kingdom, That the Nation, in 'general, was againſt theſe Impeachments; That 'for his own Part, he was ſo far from approv-'ing thoſe Tumultuous Aſſemblies and Diſor-'ders, that he rather wiſh'd a ſtop might ſpee-'dily be put to them, by exemplary Puniſh-'ments; That he had on ſeveral Occaſions, 'given ſufficient Proofs of his Zeal and Affe-'ction for the *Revolution* and the *Proteſtant* 'Succeſſion; That what he had now advanc'd, 'was the Reſult of the ſame Zeal for the Peace 'and Proſperity of His Majeſty's Reign: How-'ever, if he had been ſo unhappy as, by any '*unguarded* or *paſſionate* Expreſſion, to give Of-'fence to that Auguſt Aſſembly, he was very 'Sorry for it." Notwithſtanding this Apolo-gy, ſome Members were enclin'd to have his Lordſhip ſent to the Tower, but the *very Words* he had ſpoken not having been taken down in Writing, the Houſe admitted his Lordſhip's Ex-planation; and ſo that Matter went no further. It is obſervable that on this Occaſion, beſides the Six Biſhops before mention'd, thoſe of *Bath and Wells*, and *St. David*'s voted for the Earl of *Oxford*; and that the latter was by many blamed for putting off his going to the *Tower*; which, they ſaid, did not conſiſt with the Firm-neſs and Reſolution he had hitherto ſhewn. This is certain, That as he came on the *Tueſday* in his own Coach to the H. of Peers, he might, with as much Eaſe, have been carried to the *Tower*, either by Water, or in a *Sedan*; and have had there

there the ſame Attendance of his Friends and Phyſicians. Be that as it will, the Houſe of Peers having met on *Friday*, the 15th of *July*, they adjourn'd to the *Monday* next; to avoid, as 'twas generally ſurmiſed, any freſh Motion which the Earl of *Oxford*'s Friends might make, for deferring his being ſent to the *Tower*, whither according to Order, he was carried by the Uſher of the *Black-Rod* on *Saturday* (*July* 16th) about Eight a-clock in the Evening, in his Lordſhip's Chariot; attended by Two Hackney Coaches, in which were the Earl's Lady, his Son the Lord *Harley*, and ſome other of the Earl's Relations and Servants. Although theſe Three Coaches went from his Lordſhip's Houſe near St. *James*'s Palace, up St. *James*'s *Street*, and then through *Picadilly*, *Gerrard-Street*, *Monmouth-Street*, *Holbourn*, and other leſs frequented Streets, with Deſign, as 'twas thought, to avoid a Crowd, yet were they attended by a great many of the Common People, whoſe Numbers being much increaſed in their Return from the *Tower*, they raiſed an Uproar in the Streets, with their Cry of *High-Church*, *Ormond*, and *Oxford for ever*; and when they came to St. *Martin's Lane*, *Weſtminſter*, ſome of them grew ſo outragious as to throw Stones at, and break the Windows of ſeveral Houſes: Upon which Three or Four of the Mutineers were by the Conſtables and Beadles carried to the Round-Houſe.

The E. of Oxford *carried to the* Tower, July 16*th*.

On the Twenty Fourth of *June*, Mr. *Carter* communicated to the Commons the Informations he had receiv'd from ſeveral Hands, of a great Riot at *Mancheſter*, in which the *Pretender* had been proclaim'd; and then moved the Houſe, 'That the Act of the 13th and 14th Years of 'His late Majeſty King *William* the Third, inti-'tled, *An Act for the further Security of His 'Majeſty's Perſon, and the Succeſſion of the Crown 'in the* Proteſtant *Line, and for extinguiſhing the*

Hopes

Bill for the further Security of the King's Person, Government, and Succession.

'*Hopes of the pretended Prince of* Wales, *and all other* Pretenders, *and their open and secret Abettors*, might be read;' which being done accordingly, it was *order'd, Nemine contradicente*, That *a Bill be brought in for the further Security of His Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess* Sophia, *being* Protestants; *and for extinguishing the Hopes of the pretended Prince of* Wales, *and his open and secret Abettors*: And that Mr. *Carter*, Mr. *Comptroller*, Lord *Coningsby*, and Mr. *Heysham*, do prepare and bring in the same.

On *Friday, July* 1, the Commons order'd, *Nemine contradicente*, that a *Bill* be brought in, *for preventing Tumults and Riotous Assemblies, and for the more speedy and effectual punishing the Rioters:* After which a Complaint being made to the House, by the Right Hon. *Robert Walpole*, Esq; of a printed Pamphlet, intitled, *The Evening Post, from* Tuesday, June 28, *to* Thursday, June 30, 1715, wherein is printed a Copy of a Letter subscribed *R. W.* to the Lord *S---* at the *Bath* (which printed Letter had been cried about the Streets, as if wrote by the said Mr. *Walpole* to the Lord *Sunderland*, and had also been maliciously and industriously sent all over the Kingdom) the said *Evening Post*, and another printed Copy of the said Letter, were delivered in at the Table, and the printed Copy in the said *Evening Post* was read, as follows:

Complaint against a Paper call'd the Evening Post.

My LORD,

Scandalous Letter contain'd in it.

I Have receiv'd Your Lordship's Letter, the Contents of which are rather a Concern to me than a Surprize; in the General Corruption, I had little Reason to believe the Neighbourhood where Your Lordship is, should escape untainted.

By this Post you will have an Account from Lord T---- *of what has been done in these Parts, with some Particulars of the* Oxford *Riot; the Inclos'd (My Lord) is a Copy of a Letter sent to Dr.* Charlette;

Charlette; *but it is not Writing that will ever be able to reduce that Univerſity to a State of Diſcipline or Order; other Means are neceſſary.*

I am now to tell Your Lordſhip, the Committee has finiſh'd their Report, and will lay it before the Houſe in a few Days; what the Reſult will be I am doubtful, but we have now nothing for it but a bold Puſh, and accordingly have determin'd to allow no Time to the Enemy to examine or conſider the Report.

The Impeachments will be for High Treaſon, and other Crimes; and I wiſh we have not in this Reſolution ſtrain'd the Matter too far. Not that I believe we are in any Danger of not ſeeing Your Lordſhip confirm whatever Accuſation we ſhall bring before you; the People, who think they have a Right to look into our Actions, know their Strength, know how far they have gone, and that they can ſecure themſelves only by going further.

If on any drunken Holiday the Government is over-run with Rioters and Seditious Aſſemblies, what Oppoſition may we not reaſonably expect, when we are leading the Favourites of the Faction to the Scaffold?

If we fail in our Attempt, we muſt be content to bear the Yoke we have been preparing for our Enemies: If we ſhould ſucceed, we ſhall never more be troubled with that Spirit that has been ſo long grievous to us.

The Guards are ſent for to be in a Readineſs, but I am very doubtful how far they will come into what is neceſſary, ſhould there be Occaſion for them; and muſt therefore go along with thoſe who hold a Neceſſity of raiſing Aſſiſtance from Foreign Troops.

My Lord, I ſhall ſay no more; Jacta eſt Alea; *and Fortune in a few Weeks will diſpoſe of us one Way or other.*

Lord *S--* at the *Bath,* I am, *&c. R. W.*

Upon the Reading of this Letter it was *reſolved, Nemine contradicente,* That the ſaid Letter inſerted in the ſaid *Evening Poſt,* is a falſe, ſcandalous,

ſcandalous, and traiterous Libel, highly reflecting on His Maj. and both Houſes of Parl. And *ordered*, That a Committee be appointed to enquire into the Author, Printer, and Publiſher of the ſaid falſe, ſcandalous, and traiterous Libel. And a Committee was accordingly appointed. Then a Complaint being alſo made to the Houſe of a Paragraph in the ſaid Pamphlet call'd *The Evening Poſt*, relating to *John Bournois*, a *French* Schoolmaſter, who was whipp'd for ſpeaking ſeditious Words againſt His Majeſty; the ſaid Paragraph was read, as follows:

Another Complaint againſt the ſaid Paper.

John Bournois, *the* French *Schoolmaſter, who was whipp'd from* Stocks-market *to* Aldgate, *for ſpeaking ſeditious Words againſt His Majeſty, was laſt Week, upon giving Sureties for his good Behaviour, diſcharged out of* Newgate, *but died the next Day of the* King's Evil.

After which it was *order'd, Firſt*, That it be an Inſtruction to the ſaid Committee, That they do enquire into the Author of the ſaid Pamphlet called *The Evening-Poſt*; *Secondly*, That *E. Berrington*, Printer of the ſaid Pamphlet called *The Evening-Poſt*, be taken into the Cuſtody of the Serjeant at Arms attending this Houſe. And *Thirdly*, That *J. Morphew*, Publiſher of the ſaid Pamphlet be taken into Cuſtody of the Serjeant at Arms attending this Houſe.

E. Berrington and J. Morphew order'd into Cuſtody.

On the 15th of *July*, the Commons, in a Committee of the Whole Houſe, went through *the Bill for preventing Tumults*, &c. and the next † Day Mr. Attorney General having reported the Amendments they had made to the ſame; the firſt them was agreed to; but the further Conſideration of the ſaid Amendments was adjourn'd. After this the Houſe being inform'd of great Diſorders in the County of *Stafford*, by ſeveral evil-diſpos'd Perſons going from Place to Place in a tumultious and Riotous Manner, and that they had aſſaulted and wounded ſeveral of His Majeſty's

Bill againſt Tumults.
† July 16th.

Account of the Tumults and Riots in Staffordſhire.

lty's good Subjects without any Provocation; and that One Mr. *Bayly* was able to give the Houſe an Account thereof, and that he was at the Door; he was *order'd* to be called in. Mr. *Bayly* being call'd in accordingly, gave the Houſe an Account of what had happen'd in that County, as follows, *viz.*

'THAT there are Three *Presbyterian* Meeting Houſes, which are not very remote from each other, *viz.* at *Dudley*, *Weſt Bromwitch* and *Oldbury*; That the Proprietors of them, obſerving that ſeveral Meeting Houſes in that County had been pull'd down by the Mob, they adviſ'd with Lawyers about the Lawfulneſs of defending themſelves, and then took a Reſolution of doing it, and to aſſiſt each other: They procured a Warrant from Sir *Henry Gough* to the Conſtable of *Weſt-Bromwitch*, to keep ſuch ſufficient Watch and Ward as might be able to diſperſe tumultuous Rioters. On *Tueſday* laſt, the Mob came to *Bromwitch*, but the brave Men who were ſet to guard the Meeting Houſe beat them off, and with Hand Whips and Cudgels made ſeveral of them ſmart, ſo that on their Knees they ask'd pardon, pray'd for King *George*, and promis'd not to offend any more; but like true *Jacobites* broke their Promiſe, and came next Day in greater Numbers, and with more deſperate Weapons; ſuch as Scythes, Reaping Hooks, ſet in proper Handles about Two Yards long; large Clubs, and ſome Fire-Arms: But as ſoon as they came up to the Guard, their Courage fail'd them, they flung down their Arms, and fled, many of which were pick'd up by Women who came out of their Houſes to that purpoſe. It was thought proper to take ſome of them Priſoners; accordingly they purſued them, and took 36, and placed them in a publick Inn, with a ſtrong Guard upon them, in order to

'take them before a Juſtice of Peace next Day:
'But that Night about 12 a Clock there came a
'Mob from *Birmingham* of about a Hundred,
'intending to releaſe them. They fired upon the
'Guard without Doors, and at the ſame Time
'attack'd the Houſe and broke it; but the Guard
'beat them off, and took ſeveral Priſoners,
'which were the next Day, with the reſt, had
'before Sir *Henry Gough* and his Son, who com-
'mitted part of them to *Stafford Goal*, and bound
'over others to the Aſſizes. The ſame Day,
'which was *Thurſday* laſt, the Mob came again,
'and now they came on with more than their
'uſual Courage, which caus'd the advanc'd
'Guard to draw back nearer their main Body.
'The Rebels ſtill came on with Fury, and as ſoon
'as they came within reach fired upon the
'Guard, who then called up their Men who had
'Fire-arms to their Aſſiſtance, who came and
'quickly diſpers'd them; a Gentleman had his
'Horſe ſhot dead under him, and another mor-
'tally wounded: Some of the Guards are very
'much wounded, but it's hoped not mortally.
'They took ſeveral Priſoners, amongſt which
'are the Two Captains; One of which is ſaid to
'be the publick Cryer of *Wolverhampton*. Some
'of thoſe taken appear to be known *Roman Ca-
'tholicks*. Whilſt the Priſoners were under
'Examination, being ask'd who encourag'd them
'on to this Work? Two of them had the Con-
'fidence to ſay, they were told that Two Gen-
'tlemen of Note, *viz.* Mr. *Vernon*, and Mr.
'*Lane*, would give 60 Guineas a-piece to encou-
'rage the Mob: It is likewiſe reported in the
'Country, that the Mob boaſted the Latter of
'of theſe Gentlemen was to head them.

'When the Mob pull'd down the Meeting-
'Houſe at *Wolverhampton*, One of their Lead-
'ers getting on the Top of the ſame, flouriſh'd
'his Hat round his Head, and cry'd, *G-- d--
'K. G---ge*, and the D. of *Marlborough*. A

'Fellow

'Fellow at the ſame Place, ſtanding by as an 'idle Spectator, was charg'd by the Rioters 'with being a Spy; and, to attone for his ſuppo-'ſed Offence, they made him go down on his 'Knees, and cry *God bleſs K. James the Third.*

Mr. *Bayly* being withdrawn, Mr. *Bracebridge*, a Member of the Houſe for *Tamworth* in *Staffordſhire*, acquainted them of a Letter wrote from that Country, relating to thoſe Diſturbances, which he read in his Place; and the ſaid Letter having been *order'd* to be brought up to the Table, and read; it was *reſolv'd*, *Nemine contradicente*, 'That an Humble Addreſs be preſented 'to His Majeſty, that he will be graciouſly 'pleas'd to give Directions to the ſeveral Magi-'ſtrates throughout the Kingdom, that the Laws 'be put in a ſpeedy, and the moſt vigorous Exe-'cution, againſt all ſuch Perſons who ſhall be 'found any way concerned in the late rebellious 'and tumultuous Riots and Diſorders commit-'ted, and now carrying on, in ſeveral Parts of 'this Kingdom, by Perſons diſaffected to His 'Majeſty and his Government; and that a ſtrict 'Enquiry be made, who are the Promoters and 'Authors of the ſaid Tumults and Riots; and 'that an Account be taken of ſuch Juſtices of 'the Peace as have failed in the Diſcharge of 'their Duty on theſe Occaſions; and that ſuch 'Juſtices, who ſhall appear to His Majeſty to 'have neglected their Duty, be forthwith put 'out of the Commiſſions of the Peace; and 'that ſuch other Magiſtrates who ſhall appear 'likewiſe to have neglected their Duty therein, 'may be proceeded againſt with the utmoſt Ri-'gour of the Law; and that His Majeſty will 'likewiſe be pleaſed to direct that an exact Ac-'count may be taken of the Loſſes and Damages 'which His Majeſty's Subjects have ſuſtained, 'by reaſon of theſe tumultuous and rebellious 'Proceedings; and that the Sufferers may have 'full Compenſation made them for their Dama-

'ges; and to assure His Majesty, That all such 'Expences as His Majesty shall be at on that Ac-'count, shall be made good to His Majesty out 'of the next Aids that shall be afterwards grant-'ed by Parliament; and also that the Laws 'against *Papists* and *Non jurors* may be effectual-'ly put in execution.'

Then the Commons resumed the Consideration of the Amendments made to the *Bill for prevenring Tumults*, &c. which, with other Amendments made to them, were agreed to, and the Bill order'd to be engross'd.

On *Monday* the 18th of *July*, the said Bill was read the third Time (and after several Amendments were made to it) pass'd, and sent up to the Lords. And Mr. *Lechmere*, Sollicitor General, from the Committee appointed to draw up an Address to His Majesty, having reported the same, it was agreed unto by the House, *Nemine contradicente*, being as follows:

Address of the Commons about Riots and Tumults.

Most Gracious Sovereign,

WE *Your Majesty's most Dutiful and Loyal Subjects, the Commons in Parliament assembled, being highly concerned at the continued Endeavours of the Enemies of your Person and Government, to disturb the Tranquility and Happiness of your Kingdoms, and to deprive your People of the great Blessings they enjoy under your auspicious Reign: And it having appeared to us, that, by the Encouragement and the false and traiterous Insinuations of Persons disaffected to your Title and Government, great Numbers of your poor deluded Subjects have been prevailed upon, in many Parts of the Kingdom, to assemble together, and, in a tumultuous and rebellious manner, to commit great Disorders, and do great Injuries to others of their Fellow-Subjects and Fellow-Protestants, we think it our indispensable Duty on this Occasion to express our utmost Abhorrence of all such traiterous Proceedings, and our highest Resentment against the Authors and Promoters of them; and to renew to*

Your

Your Majeſty the hearty and vigorous Reſolutions of your faithful Commons, to ſupport your Majeſty and your Government againſt all your open and ſecret Enemies; and to contribute the utmoſt in our Power to the Honour and Safety of your Sacred Perſon, and the Quiet and Security of your Government.

And to that End, we crave Leave moſt humbly to beſeech Your Majeſty, that you will be graciouſly pleaſed to give Directions to the ſeveral Magiſtrates throughout your Kingdom, that the Laws now in Force may be put in a ſpeedy, and in the moſt vigorous Execution, againſt all ſuch Perſons as ſhall be found any way concerned in the rebellious and tumultuous Riots and Diſorders which have been committed, and are now carrying on, by Perſons diſaffected to Your Majeſty and your Government; and that a ſtrict Enquiry may be made to diſcover the Authors and Promoters of them, ſo as they may be brought to condign Puniſhment.

And it being apparent, that the Neglect or Misbehaviour of many Juſtices of Peace, and other Magiſtrates, hath given great Encouragement to the ſaid Diſorders, we crave Leave, in all Humility, to beſeech Your Majeſty, that an Account may be taken of ſuch Juſtices of the Peace as have failed in the Diſcharge of their Duty on theſe Occaſions; and that ſuch of them as ſhall appear to Your Majeſty to have neglected their Duty, may be forthwith put out of the Commiſſions of the Peace; and that ſuch other Magiſtrates as ſhall likewiſe appear to Your Majeſty to have neglected their Duty therein, may be proceeded againſt with the utmoſt Rigour of the Law.

And as your loyal Commons are fully aſſured, that by the Wiſdom and Steddineſs of your Adminiſtration, the Scepter in your Royal Hand will ſoon become a Terror to all thoſe who, by open or ſecret Practices, ſhall any way abet the Enemies of your Perſon or Government; ſo from our moſt dutiful Regard to Your Majeſty, and in Juſtice to thoſe of your Subjects, who, for their Zeal and firm Adhe-

rence

rance to Your Majesty and your Government, have been Sufferers in the said tumultuous and traiterous Disorders; we do most humbly beseech Your Majesty, that you will be most graciously pleased to give Directions, that an exact Account be taken of the Losses and Damages which any of your Subjects have sustained, by reason of the said tumultuous and rebellious Proceedings, and that the Sufferers may have full Compensation made them for their Damages; your faithful Commons most humbly assuring Your Majesty, that all Expences which shall be incurred on that Account, shall be made good to Your Majesty, out of the next Aids that shall be afterwards granted by Parliament.

And for the Security of your Sacred Person, and the Quieting the Minds of your faithful Subjects, we do further most humbly advise Your Majesty, that you will be graciously pleased to give Orders, that the Magistrates throughout the Kingdom, in their several Stations, do speedily and effectually put the Laws in execution against Papists and Non-jurors.

This Address having, the next * Day, been presented to the King by the whole House, His Majesty was pleased to return the following most Gracious Answer:

* July 29.

The King's Answer.

Gentlemen,

I Thank you heartily for your Address, and the many Marks of Zeal and Affection which you express for my Honour and Safety, and the Security of the Kingdom.

I will give immediate Directions for putting in execution the several Matters which you so justly recommend to me; and as I am resolv'd, on all Occasions, to follow the Advice of my Parliament, so I have no doubt but that, by the Blessing of Almighty God, and your seasonable and vigorous Assistance, I shall soon be enabled effectually to suppress that Spirit of Rebellion which is so industriously fomented among us, and to establish the Peace and Prosperity of my People.

After

The ſame Day the Commons order'd, 'That 'ſuch Members of the Committee of Secrecy, 'who are Juſtices of the Peace for the 'County of *Middleſex*, do examine ſuch Per-'ſons as they think fit, at the ſaid Committee, 'touching Matters contain'd in the ſeveral Books 'and Papers before them.

The next * Day, the Speaker of the Houſe of Commons having reported His Majeſty's moſt Gracious Anſwer to their Addreſs, it was *reſolv'd, Nemine contradicente*, that the humble Thanks of this Houſe be return'd to His Majeſty. * June 20.

The ſame Day, the King went to the Houſe of Peers with the Uſual State, and having given the Royal Aſſent to Four *Publick* and Nine *Private* Bills, and, amongſt the firſt, the *Act for preventing Tumults and Rietous Aſſemblies*, &c. His Majeſty was graciouſly pleaſed to declare from the Throne, That he had given direction to the Lord Chancellor to declare to Both Houſes a matter of the greateſt Importance in his Majeſty's Name and Words; and accordingly the Lord Chancellor read a Speech deliver'd into his Hands by his Majeſty from the Throne, as follows:

The King's Speech to both Houſes.

My Lords and Gentlemen,

THE Zeal you have ſhewn for preſerving the Peace of my Kingdoms, and your Wiſdom in providing ſo good a Law to prevent all Riotous and Tumultuous Proceedings, give me great Satisfaction; but I am ſorry to find that ſuch a Spirit of Rebellion has diſcover'd it ſelf as leaves no Room to doubt but theſe Diſorders are ſet on Foot and encouraged by Perſons diſaffected to my Government, in Expectation of being ſupported from Abroad.

The Preſervation of our Excellent Conſtitution, and the Security of our Holy Religion, has been, and always ſhall be, my chief care; and I cannot queſtion but your Concern for theſe invaluable Bleſſings is ſo great, as not to let them be expoſed to

ſuch

ſuch Attempts as I have certain Advices are preparing by the Pretender from abroad, and carrying on at home by a reſtleſs Party in his Favour.

Gentlemen of the Houſe of Commons.

In theſe Circumſtances, I think it proper to ask your Aſſiſtance, and make no Doubt but you will ſo far conſult your own Security, as not to leave the Nation, under a Rebellion actually begun at home, and threatned with an Invaſion from abroad, in a Defenceleſs Condition: And I ſhall look upon the Proviſion you ſhall make for the Safety of my People, as the beſt mark of your Affection to me.

Reſolution of the Commons to ſtand by, and Support his Majeſty.

The Commons being return'd to their Houſe, it was, 'Reſolved, *Nemine Contradicente*, That 'an humble Addreſs be preſented to his Majeſty, to return the moſt humble and dutiful 'Thanks of this Houſe, to his Majeſty, for 'communicating to his Parliament the Advices 'he has received of an Attempt preparing to be 'made upon the Nation from abroad, abetted 'and encouraged by treaſonable Practices at 'home, in favour of a Popiſh Pretender; and 'to aſſure his Majeſty, that this Houſe will, 'with their Lives and Fortunes, ſtand by and 'ſupport his Majeſty againſt all his open and 'ſecret Enemies; and to deſire his Majeſty, 'that he will immediately give Directions for 'fitting out ſuch a Number of Ships as may effectually guard the Coaſts, and to iſſue out 'Commiſſions for augmenting his Forces by 'Land; aſſuring his Majeſty this Houſe will, 'without Loſs of Time, effectually enable him 'to raiſe and maintain ſuch a Number of Forces, 'both by Sea and Land, as ſhall be neceſſary for 'the Defence of his Sacred Perſon, and for the 'Security of his Kingdoms.' After this Mr. *Freeman* ſtood up, and repreſented, that in ſo 'important a Juncture, they ought to loſe no 'Time, in drawing up an Addreſs, and therefore moved, "*That the ſaid Reſolution be forthwith*

forthwith laid before his Majesty by the whole House. He was seconded by the Lord *Guernsey*, Eldest Son to the Earl of *Ailesford*, who said, 'it 'was well known, he had, on several Occasi- 'ons, differ'd from some Members in that 'House; but being now convinc'd that our 'Liberty, Religion, and all that's dear to *English* 'Men, were aim'd at, he would (*laying his Hand 'on his Sword*) rather die with his Sword in his 'Hand, than survive the *Pretender's* coming in; 'tho' he were to enjoy the greatest Honours and 'Preferments under Him." Mr. *Hampden* did, likewise, back Mr. *Freeman's* Motion, which pass'd into a Resolution, *Nemine Contradicente*; and Mr. *Comptroller* who was order'd to wait on the King, to know his Majesty's Pleasure, when he would be attended by the House, having, about Six a-clock in the Evening, reported that his Majesty had been pleased to appoint immediately at his Palace at St. *James's*; The House went thither with their Speaker, and laid before his Majesty the said Resolution, to which the King was pleased to return the following Answer:

Memorable Speech of the Lord Guernsey, *on this Occasion.*

Gentlemen,

I Thank you heartily for this Address. The Zeal and Vigour which you shew upon this Occasion, will, I trust in God, enable Me to defeat the Evil Designs of our Enemies. I will immediately give Directions for such an Increase of our Forces by Sea and Land, as I shall judge necessary for your Security; and will order Estimates of the Charge thereof to be laid before you.

The next Day, the House being moved, That the Act of the Thirty First Year of King *Charles* the Second, intitled, *An Act for the better securing the Liberty of the Subject, and for Prevention of Imprisonment beyond the Seas*: And also an Act of Parliament of *Scotland* of the Thirty First of *January* 1701, intitled, *An Act for preventing wrongous Imprisonment, and against undue*

Delays in Tryals, be read; the ſame were read accordingly: After which it was *Ordered*, That leave be given to bring in a *Bill to impower His Majeſty to ſecure and detain ſuch Perſons as His Majeſty ſhall ſuſpect are conſpiring againſt His Perſon or Government*. Hereupon Mr. *Sollicitor-General* immediately preſented to the Houſe *A Bill to impower His Majeſty to ſecure and detain ſuch Perſons as His Majeſty ſhall ſuſpect are conſpiring againſt His Perſon and Government*; and the ſame was received and read the Firſt time, and ordered to be read a Second time. The Bill was accordingly immediately read a Second Time; and committed to a Committee of the whole Houſe, for the next day. It was obſerv'd that Mr. *Shippen* only, made a Slight Objection againſt the bringing in of the ſaid Bill; which on the 22d. of *July*, went through the Grand Committee, and was order'd to be ingroſſed.

Bill to Suſpend the Habeas Corpus *Act.*

On the 20th of *July*, the Lords reſolv'd to preſent an Addreſs to His Majeſty, which was, the ſame Day, drawn up, and agreed to, as follows:

The Lords Addreſs to the K.

Moſt Gracious Sovereign,

WE *Your Majeſty's moſt Dutiful and Loyal Subjects, the Lords Spiritual and Temporal in Parliament aſſembled, beg Leave to return Your Maj. the moſt humble Thanks of this Houſe, for Your Majeſty's moſt gracious Aſſurances, that the Preſervation of our excellent Conſtitution, and the Security of our holy Religion, has been, and always ſhall be your chief Care; and for communicating to your Parliament the Advices from Abroad of an intended Invaſion of theſe Kingdoms, countenanced and entouraged by Inſurrections here at Home, fomented and ſtirred up by the Abettors and Supporters of the* Pretender's *Intereſt. And we do moſt humbly aſſure Your Majeſty, that this Houſe will ſtand by and aſſiſt Your Majeſty, at the Hazard of our Lives and Fortunes, in Support and Defence*

Defence of your Sacred Perſon, and your undoubted Right and Title to the Crown, in Defiance of all your open and ſecret Enemies.

This Addreſs being the next Day preſented to the King, His Majeſty was pleaſed to make the following moſt gracious Anſwer:

The King's Anſwer.

My LORDS,

I Thank you for the zealous Affection you expreſs towards me, and the Aſſurances which you give me in this Addreſs; and you may depend on my punctually making good all thoſe which I have given to my People, either on this or any former Occaſion.

The next † Day, both Houſes of Convocation waited alſo on His Majeſty, with the following Addreſs: * July 22d.

Addreſs of the Convocation to the King.

To the K's Moſt Excellent Majeſty. The Humble Addreſs of the Abp. Bps, and Clergy of the Province of *Canterbury*, in Convoc. aſſembled.

Moſt Gracious Sovereign,

'WE Your Majeſty's moſt Dutiful and Loyal 'Subjects, the Archbiſhop, and Biſhops, 'Clergy of the Province of *Canterbury*, in Con. 'vocation aſſembled, do think our ſelves obliged 'in Duty and Gratitude to Your Majeſty, to 'make our moſt humble Acknowledgments for 'that gracious Meſſage you were pleaſed to ſend 'to the Houſe of Commons, recommending the 'Proviſion of a Maintenance for the Miniſters 'who are to attend the Service of the Fifty New 'Churches, begun to be built in and about the 'Cities of *London* and *Weſtminſter*, under the 'pious Encouragement of Your Majeſty's moſt 'excellent Predeceſſor of ever Bleſſed Memory.

'A Meſſage ſo piouſly intended, and ſo well 'received, we truſt, cannot fail of its deſired 'Effect, to the Honour of the Church of *England*, 'and the Advancement of our holy Religion.

'After all the Declarations Your Majeſty has 'been pleaſed to make in Favour of our Eſta-

'bliſhed Church, and the real Proofs you have 'given for the Concern of its Intereſt; we hope 'that none will be found ſo unjuſt as to 'doubt of your Affection to it. And we 'do moſt humbly aſſure Your Majeſty, that 'we will take all Opportunities to inſtil in-'to thoſe who are under our Care, the 'ſame grateful Senſe that we our ſelves have 'of Your Majeſty's Goodneſs, and that at 'this Time, more eſpecially, when the Quiet 'of your Realms is diſturbed by Inſur-'rections at Home, and the Nation threat-'en'd with an Invaſion from Abroad, we will 'put them in mind of thoſe ſtrict Obliga-'tions of Conſcience, whereby they are en-'gaged to defend and ſupport Your Maje-'ſty's Government, and will earneſtly exhort 'them to exemplify, by a ſuitable Practice, 'thoſe Principles of Obedience and Loyalty 'which the Church of *England* has always 'thought it her Duty to profeſs.

'May the Divine Providence defeat all wicked 'Deſigns that ſhall be formed againſt our holy 'Faith, and Your Majeſty, the Defender of it: 'And may that God, Who has put it into Your 'Majeſty's Heart to do ſuch great things for us, 'unite the Hearts of all your Subjects in praiſing 'His Mercy for the many Bleſſings we enjoy un-'der Your Majeſty's moſt auſpicious Govern-'ment; and in making all the Returns of Ho-'nour and Obedience that are due to ſo good 'and gracious a Sovereign.

To this Addreſs the King was pleaſed to return the following moſt gracious Anſwer:

The King's Anſwer.

My Lords, and the reſt of the Clergy,

I *Take this dutiful Addreſs very kindly, and thank you for the Concern you expreſs for the Peace of my Government. I depend upon the Loyalty of the Church of* England, *and you may be aſ-*

ſured

ſured of my conſtant Protection and Encouragement.

On *Saturday*, the 23d of *July*, the Commons read the third Time, paſs'd, and ſent up to the Lords by Mr. *Hampden* the ingroſſed *Bill to empower His Majeſty to ſecure and detain ſuſpected Perſons, &c.* After which Mr. *Pulteney* by His Majeſty's Command, preſented to the Houſe, an Eſtimate of the Charge of Four Companies *per Annum*, to compleat the *Coldſtream* Regiment of Foot Guards to Two Battalions, and for *Levy-money* for the ſame: Which Eſtimate was read, and referr'd to the Grand Committee on the Supply. Then the Houſe reſolv'd it ſelf into the ſaid Committee, and came to theſe Two Reſolutions, *viz.* 1. That a Sum not exceeding Two Hundred Sixty Five Thouſand Seven Hundred Fifty Four Pounds, Seven Shillings, Six Pence, be granted to His Majeſty for the Pay of Three Thouſand Dragoons and Four Thouſand Foot, Commiſſion Officers and Non-Commiſſion Officers included for One Year, and for the Charge of Levy-Money for the ſame. 2*dly*, That a Sum not exceeding Five Thouſand Four Hundred Fifty Eight Pounds, Ten Shillings, be granted to His Majeſty for the Charge of Four Companies, to compleat the *Coldſtream* Regiment of Foot-Guards to Two Battalions, for One Year, and for Levy-Money for the ſame. After this it was *order'd*, That the Grand Committee, appointed to conſider of the *Bill for the further Security of His Majeſty's Perſon and Government, &c.* have Power to receive *a Clauſe to enable His Majeſty to grant a Commiſſion to adminiſter the Oaths of Allegiance, and Supremacy, and Abjuration to all Officers, Common Seamen, and Soldiers.* Then the Houſe reſolv'd it ſelf into that Committee, and made ſome Progreſs in the ſaid Bill: But were interrupted by Two Meſſages: One was from the Lords, to acquaint them that their Lordſhips had agreed to *the Bill, entitled, An Act to empower*

Eſtimate for Four additional Companies of FootGuards

Reſolutions on the Supply.

Clauſe to adminiſter the Oaths to all Officers, Seamen and Soldiers,

power His Majeſty to ſecure and detain ſuch Perſons as His Majeſty ſhall ſuſpect are conſpiring againſt His Perſon and Government: The other Meſſage was from His Majeſty, who being come to the Houſe of Peers with the uſual State, and the Commons ſent for up, and attending, His Majeſty was pleaſed to give the Royal Aſſent to the ſaid Bill.

Bill order'd to be brought in to encourage Loyalty in Scotland.

The Commons being return'd to their Houſe, upon a Motion made by Mr. Secretary *Stanhope*, *a Bill* was order'd to be brought in *for Encouraging all Superiors, Vaſſals, Landlords, and Tenants there, who have been or ſhall be guilty of Rebellious Practices againſt his ſaid Majeſty: And for making void all fraudulent Entails, Tailzies, and Conveyances made there, for barring or excluding the Effect of Forfeitures that may have been or ſhall be incurred there on any ſuch Account: As alſo for calling any ſuſpected Perſon or Perſons in* Scotland *to appear at* Edinburgh, *or where it ſhall be judged expedient, to find Bail for their good Behaviour.* And that Mr. Secretary *Stanhope*, the Ld. *William Powlet*, and Sir *David Dalrymple* do prepare and bring in the ſame.

Clauſe order'd for giving the Reward of 100,000 l. *to ſuch as ſhall apprehend the* Pretender *dead or alive.*

On *Monday* the 25th of *July*, Mr. *Farrer* reported the Reſolutions taken the *Saturday* before in the Grand Committee on the Supply, which were agreed to; after which, upon a Motion made by Mr. *Comptroller*, it was

'*Ordered, Nemine Contradicente*, That it be
'an Inſtruction to the Committee of the Whole
'Houſe, to whom the Bill for the further Se-
'curity of His Majeſty's Perſon and Govern-
'ment, and the Succeſſion of the Crown, in
'the Heirs of the late Princeſs *Sophia*, being
'Proteſtants, and for extinguiſhing the Hopes
'of the pretended Prince of *Wales*, and his
'Open and Secret Abettors, is committed,
'That they have Power to receive a Clauſe for
'rendering more Effectual the Proviſion made

in

' in an Act of the First Year of His Majesty's ' Reign, intitled, *An Act for the better Support ' of His Majesty's Houshold, and of the Honour ' and Dignity of the Crown of* Great-Britain, for ' seizing and securing the Person of the *Pretender*, ' by providing that the Sum of One Hundred ' Thousand Pounds shall be paid to any Person ' or Persons, being Natives or Foreigners, who ' shall seize or secure, alive or dead, the Person ' of the *Pretender*, whenever he shall land, or ' attempt to land, in *Great-Britain* or *Ireland*, ' or any other His Majesty's Dominions."

The next † Day, Mr. *Carter* reported the Amendments made to the *Bill for the further Security of His Majesty's Person and Government*, &c. which, with Amendments to some of them, were agreed to, and the Bill order'd to be engrossed. After this, Mr. *Walpole* made a Speech, wherein he took notice ' of the Mea- ' sures the King had taken, pursuant to the De- ' sire and Advice of that House, to secure his Do- ' minions; but represented that in case of an In- ' vasion the Standing Troops and the new Le- ' vies would hardly be sufficient; and as he ' thought it necessary, so he moved, that the Of- ' ficers in Half-pay should be put in a Capacity to ' serve the Nation, by allowing them *Full Pay*. Gen. *Stanhope* seconded Mr. *Walpole*'s Motion; and Gen. *Ross* only having made a Slight Ob- jection to it; suggesting that, to save Expences, the Standing Regiments might be augmented, it was *resolv'd*, ' That an humble Address be pre- ' sented to His Majesty, that he would be gra- ' ciously pleased to allow Full Pay to such Half- ' pay Officers as were not otherwise provided ' for: and that His Majesty would give Orders to ' the said Officers to hold themselves in a Readi- ' ness to be employed in such manner as His Ma- ' jesty should think fit: And to assure His Ma- ' jesty that this House would supply such extra- ' ordinary Expence as His Majesty should be at

† July 26.

Address for giving Full Pay to the Half pay Officers. July 26th.

on

'on this Account, out of the next *Aids* to be 'afterwards granted by Parliament.' This Addreſs being, the ſame Day, preſented to the King, His Majeſty was pleaſed to ſay, *That he look'd upon it as a freſh Inſtance of the Duty and Affection of this Houſe, and of their Zeal for the Security and Preſervation of his People and Government.* The ſame † Day likewiſe, upon a Motion made by Mr. *Pulteney*, Secretary at War, a *Bill* was *order'd* to be brought in, *for the enforcing and making more effectual an Act of this preſent Parliament, intitled*, An Act for the better regulating the Forces to be continued in His Majeſty's Service, and for the Payment of the ſaid Forces and their Quarters, *for the better preventing Mutiny and Diſertion:* Which Bill was, the next † Day, preſented to the Houſe by Mr. *Pulteney*; and read the firſt Time; as was alſo *a Bill to make the Militia of this Kingdom more uſeful.*

The King's Anſwer.

† July 26.

Bill order'd *for the better preventing Mutiny and Deſertion.*

† July 7.

On *Friday*, the 22d of *July*, Sir *George Byng* ſet out for the *Downs*, to take upon him the Command of His Majeſty's Fleet, which was order'd to be forthwith reinforc'd with ſeveral Men of War. The ſame Day, General *Erle* went poſt to his Government of *Portſmouth*, in order to put that important Place in a Poſture of Defence; the Trained-Bands of *London* and *Weſtminſter* were under Arms; the next * Day General *Cadogan*, by His Majeſty's Command, mark'd out a Camp in *Hyde-Park*, for His Majeſty's *Horſe* and *Foot* Guards, where the Latter encamp'd the ſame Day, and the Former on *Monday*; and the Lord Viſcount *Irwin* was appointed Governor of *Hull*, in the Room of Brigadier *Sutton*, who, together with General *Roſs*, General *Webb*, General *Stewart*, the Lord *Windſor*, Colonel *Deſaunay*, and ſome other Generals and Colonels, were either diſmiſs'd the Service, or order'd to ſell their reſpective Regiments.

Sir George Byng *takes upon him the* Command *of the Fleet.*

Gen. Erle *goes down to* Portſmouth.

* July 23.

The Guards encamp in Hyde-Park.

Several General Officers and Colonels diſmiſs'd.

On

On the 22d of *July*, *William Pulteney*, Esq; Secretary at War, by His Majesty's Command, signified his Majesty's Pleasure, 'That all Officers 'now in the Army do immediately repair to 'their respective Posts, upon Pain of His Majesty's highest Displeasure;" and at the same Time, all such Out-Pensioners of *Chelsea Hospital* as had pass'd their Examination before the Lords Commissioners, were order'd to appear on *Tuesday* and *Wednesday*, the 26th and 27th of the same Month, in that Part of the said Hospital commonly call'd *Burton's Court*, upon Failure whereof they were to lose the Benefit of their Pension. All this while the Justices of Peace, and other inferior Magistrates of *London* and *Westminster*, were very active in searching for Horses and Arms, in the Houses of *Papists* and other Suspected Persons.

Officers order'd to their respective Posts.

Houses of Suspected Persons search'd.

On the 25th of *July*, His Majesty in Council signed the following PROCLAMATION *for suppressing Rebellions and rebellious Tumults.*

GEORGE, *R.*

Proclamation for suppressing Rebellions and rebellious Tumults.

WHereas of late some of the Meanest of our People have been, in divers Parts of this Kingdom, seduced and stirred up to Riots and Tumults, to the Disturbance of the Publick Peace, and the same are now carry'd into open Rebellion, and a Levying of War against us, and our Royal Authority, by the said Rebels, having not only declared the End of their Rising in Arms to be to a General Purpose, and that against Law, but even proceeded with an Armed Force, in many and distant Places, to pull down, burn, and destroy the Houses and Buildings of our good and peaceable Subjects; and by their having declared for the Pretender, *and actually resisted, and engaged with Force of Arms, such as by lawful Authority were endeavouring to disperse them; and there is no room to doubt but these traiterous Proceedings are promoted and encouraged by* Papists, Non-jurors, *and other Persons disaffected to our Government, in*

Expectation of being ſupported from Abroad: We have therefore thought fit, for the ſuppreſſing and putting a ſpeedy End to the ſaid Rebellion, by and with the Advice of our Privy-Council, to iſſue this our Royal Proclamation, hereby declaring, That all our Officers, Civil and Military, are, by the Duty of their ſeveral Offices and Commands, obliged to uſe their utmoſt Endeavours, by Force of Arms, if neceſſary, to ſuppreſs all ſuch traiterous Rebellions; and that in like manner, all the Subjects of this Realm are bound by Law to be aiding and aſſiſting in the Suppreſſion of ſuch Rebellion, or may act againſt ſuch Rebels without the Preſence of ſuch Officer, if the Preſence of ſuch Officer cannot be had, or if ſuch Officer refuſes or neglects to execute his Duty; and that all our dutiful and loyal Subjects may, without any expreſs Warrant or Authority, act in Defence of their Houſes, Perſons, or Poſſeſſions, if attacked or aſſaulted by ſuch Rebels or riotous Perſons: And if any of the ſaid Rebels ſhall happen to be ſlain, either by the Civil or Military Officers, or our Troops, or other our loyal Subjects, acting, as aforeſaid, in Defence of the Laws, of our Royal Authority, and the Preſervation of the Publick Peace, ſuch Killing is juſtifiable, and they who do it are indemnified by Law. And we therefore ſtrictly charge and command all our Officers, as well Civil as Military, and all other our Obedient and Loyal Subjects, That whereſoever they ſhall meet with the ſaid Rebels and Traitors, ſo, as aforeſaid, in Arms and Open Rebellion againſt us, they do endeavour, without Delay, to ſuppreſs them with their utmoſt Force, and to treat them with that Severity with which Rebels and Traitors, found in actual War and Rebellion againſt the Crown, may be treated. Given at our Court at *St. James's*, the Twenty Fifth Day of *July*, in the First Year of our Reign.

* July 25. At the ſame *Time, His Maj. ſigned Two other *Proclamations*, one *for putting the Laws in execution againſt* Papiſts *and* Nonjurors; the other com-

commanding all Papiſts *and reputed* Papiſts, *to depart from the Cities of* London *and* Weſtminſter, *on or before the 8th Day of* Auguſt *next enſuing, and from within Ten Miles of the ſame, and confining them to their Habitations:* Both which were grounded on *the many Riots that had been in divers Parts of this Kingdom*; and on the *certain Advice His Majeſty had received, that the* Pretender *was preparing to invade theſe Kingdoms.*

In Imitation of both Houſes of Parliament, moſt *Corporations*, and other *Bodies of Men* in His Majeſty's Dominions, thought it their Duty, at this critical and dangerous Juncture, to expreſs their *Loyalty* and *Affection* to His Majeſty's Perſon and Government. The Addreſs of the *Common Council* of the City of *London*, which on the 28th of *July* was preſented to His Majeſty, by the Lord Mayor, and a few of the Aldermen, being drawn up by the *Tory* Party, was lukewarm, and therefore not very acceptable, being as follows:

Addreſs of the Common-council of the City of London.

To the KING's Moſt Excellent Majeſty.

The Humble Addreſs of the Lord Mayor, Aldermen, and Commons of the City of London, *in Common Council aſſembled.*

Moſt Gracious Sovereign,

WE the Lord Mayor, Aldermen, and Commons, in Common-council aſſembled, do with all Humility approach your Royal Preſence, craving Leave to ſhew our utmoſt Concern at the Danger that ſeems now to threaten Your Majeſty and your Kingdoms, from the intended Invaſion thereof by the *Pretender*, as Your Maj. hath been graciouſly pleaſed to inform your People from the Throne; which intended Attempt, we fear, hath been too much encouraged by *Papiſts*, *Non-jurors*, and Perſons of Antimonarchical and Rebellious Principles, who have ever been declared Enemies to our moſt excellent Conſtitution both in Church and State.

It is with great Satisfaction that we have obſerved Your Majeſty's repeated Aſſurances (on which we entirely rely) for the Protection and Support of the Church of *England* as by Law eſtabliſhed (ſo much favoured and encouraged by Her late Majeſty Queen *Anne*, of Glorious and Immortal Memory; whereby ſhe endeared her ſelf to her Subjects) which Church, as it retains the greateſt Purity in its Worſhip, ſo it teaches ſuch Doctrines, and profeſſes ſuch Principles as are moſt conſiſtent with Your Majeſty's Safety, the Peace of all Government, and the Preſervation of our happy Conſtitution.

We therefore, taught by the Doctrines of this our holy Church, do moſt humbly aſſure Your Majeſty, that we have the utmoſt Abhorrence and Deteſtation of all ſeditious Rioters and tumultuous Perſons, and their open and ſecret Abettors, who do in the leaſt encourage the Hopes of the *Pretender*; and will continue our Endeavours to ſuppreſs and diſcountenance the ſame: And do further aſſure Your Majeſty of our ſteddy Adherence to your Royal Perſon and Government, againſt the *Pretender* and all other Your Majeſty's Enemies, at Home and Abroad.

However, His Majeſty was pleas'd to return the following moſt gracious Anſwer.

The King's Anſwer.

I Thank you for the ſeaſonable Aſſurances you give me in this Juncture, of your ſteddy Adherence to my Perſon and Government.

I am firmly reſolved to protect and encourage the Church of England *as by Law eſtabliſhed; and to do every thing that may promote the Good of my People.*

* July 29. The next * Day, the Lord Mayor of *London*, with a Train of above Fifty Coaches, went to *St. James's*, and preſented to His Majeſty an Addreſs of a *different Strain* and *Spirit*, being as follows:

To

To the KING's Most Excellent Majesty.

The Humble Address of the Lord Mayor, and the rest of your Majesty's Commissioners of Lieutenancy for your City of London.

Most Gracious Sovereign,

Address of the Lieutenancy of the City of London.

YOUR Majesty is so ill treated by those who are unworthy of you, that we, Your Majesty's most faithful and loyal Subjects, cannot but think it our Duty at this Juncture, to distinguish our Zeal and Affection for your sacred Person and Government, and give Your Majesty fresh Assurances, that we will stand by you, and strengthen your Hands against your Enemies.

We are not surpriz'd to hear that the *Pretender* is forming a Design to invade Your Majesty's Dominions; it was easy to presage, that the wicked Bargain which was lately made by the Betrayers of their Country, was intended to pave the Way for him, and to inspire him with new Hopes and Encouragements; and it was natural to expect, that those who had bought us, would lay hold of the first Opportunity to send over that Impostor, to take possession of us for their Use, and to govern us by *Popish* Maxims and Arbitrary Principles.

As the Mask of Faction is taken off, we see that which was before even too gross to be believed; we see Non-resisting Rebels, Passive-Obedience Rioters, Abjuring *Jacobites*, and *Frenchify'd Englishmen*: Monsters which no Age or Country produced till now!

But we are not at all discouraged at these things, we are persuaded that they who could trifle with solemn Oaths, and dissemble with God and Man, can never prosper; we trust, under Providence, to the Righteousness of our Cause, and to the Wisdom and Virtue of Your Majesty and your Council. And as the wicked Designs of ruining the best Church, and the best Constitution in the World, by bringing in *Popery* and Slavery, are now laid open, we do not doubt

but

but that the Authors will be forſaken by their deluded Adherents, and freely given up to the Juſtice of an injur'd Nation.

It is Matter of Shame as well as Grief, to ſee a Prince who left Peaceful Dominions and Faithful Subjects, that he might make us happy and flouriſhing, ſo ill requited by an ungrateful Faction; but we do aſſure Your Majeſty, that the Conſiderate and Honeſt amongſt Your Subjects (which are a great Majority) know how to value the Bleſſing of a Good King. And we do, for our own parts, promiſe to ſupport (as far as in us lies) Your Majeſty's Crown and Dignity, and the Succeſſion of your Royal Line, with our Lives and Fortunes, which Your Majeſty came moſt ſeaſonably to reſcue, when they were in the moſt imminent Danger.

The King's Anſwer. *His Majeſty's moſt gracious Anſ.* was to this effect.

THE ſeaſonable Zeal you expreſs in this dutiful Addreſs, is moſt grateful to me; and you may depend upon my conſtant Endeavours to ſecure to you, and to all my People, the Enjoyment of their Religion, Liberty and Property.

* Aug. 16th, *Addreſs of the Univerſity of* Cambridge. Some Time * after the following Addreſs was preſented to His Majeſty by his Grace the Duke of *Somerſet*, Chancellor of the Univerſity of *Cambridge*, attended by the Reverend the Vice-Chancellor, and ſeveral Maſters of Colleges, with divers other Members of that Univerſity.

The humble Addreſs of the Chancellor, Maſters and Scholars of the Univerſity of Chambridge.

Moſt gracious Sovereign,

WE preſume to appear in your Royal Preſence to teſtifie our Zeal and Affection to your Perſon and Government, called to it by the juſt Concern we are under from the Danger which threatens Your Majeſty and your People; a Danger in which not only the preſent Age, but even the lateſt Poſterity is deeply concerned: For the Liberty and eſtabliſh'd Religion of *Britain*, as they have in Your Maje-

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ſty and your Family the beſt, ſo have they alſo, in all human Views, the laſt Support.

In theſe Circumſtances we ſhou'd forget not only our Oaths and Obligations, but even our ſelves and thoſe who are deareſt to us, ſhou'd we not be forward to pay all due Allegiance to Your Majeſty; and thoſe muſt break thro' all the Ties of natural Affection, who can now be guilty of the Crime of Treaſon. While we enjoyed the Bleſſing of our late excellent Princeſs (whoſe Memory will be ever dear and ſacred to us) your Title to this Crown was always our ſecond Care, as your peaceable Enjoyment of it is now become our firſt; and we chearfully embrace this Opportunity to declare to Your Majeſty what we have conſtantly profeſt, That we do acknowledge Your Majeſty for the only lawful and rightful King of theſe Realms; and that we will, by all means ſuitable to our Station, maintain and ſupport the Title and Intereſt of Your Majeſty and your Family againſt all Oppoſers whatever.

As Your Majeſty has been ſo gracious as to promiſe that the Conſtitution in Church and State ſhall be the Rule of your Government, an Aſſurance which has made a laſting Impreſſion on our Minds; ſo we heartily wiſh that all your Subjects, led to a Senſe of their Duty by your Royal Example, may make the ſame Conſtitution the Rule of their Obedience. Such Conſent is the natural Strength of Kingdoms, and wou'd defeat the Attempts and Hopes of all our Enemies: And for our ſelves (whatever Repreſentations have been made to our Prejudice) we do aſſure Your Majeſty, that we have and will ſo inſtruct the Youth committed to our Care, that in their dutiful Behaviour towards Your Majeſty they may ſhew forth an Example of thoſe Principles of Loyalty and Obedience, which this Univerſity, purſuing the

Doctrines

Doctrines of our Church, has ever ſteadily maintained.

To which the King return'd this moſt gracious Anſwer.

The King's Anſwer.

I Thank you for this dutiful and loyal Addreſs. The Univerſity may always depend upon my Favour and Encouragement.

† Aug. 16th. The ſame † Day the following Addreſs was preſented to His Majeſty, by Mr. *Nathaniel Hodges*, accompanied by divers Miniſters of the ſeveral Denominations of *Proteſtant Diſſenters*, introduced by his Grace the Duke of *Newcaſtle*, Lord Lieutenant of the County of *Middleſex*.

To the KING's moſt Excellent Majeſty.

Addreſs of the Diſſenting Miniſters.

The humble Addreſs of the Proteſtant *Diſſenting Miniſters, of the ſeveral Denominations in and about the Cities of* London *and* Weſtminſter.

May it pleaſe Your Majeſty,

WE Your Majeſty's moſt loyal Subjects, think our ſelves oblig'd in Duty and Gratitude humbly to acknowledge that ſeaſonable Protection which Your Majeſty has been pleas'd to give to thoſe of our Perſuaſion from the late Rebellious Tumults, and for your gracious Anſwer to the Addreſs of your faithful Commons, wherein they deſire that a full Compenſation be made to thoſe whoſe Sufferings they ſo juſtly impute to their Zeal and firm Adherence to Your Majeſty and your Government.

We can aſſure Your Majeſty, that no juſt Occaſion has been given by us to our Fellow-Subjects for any ſuch Treatment; nor can the Principles which oblige us to diſſent from the Church of *England*, be a reaſonable Provocation to any who have the leaſt regard to the Common Rights of Mankind, or the Rules of the *Chriſtian* Religion.

We deſire nothing more than to enjoy our Civil Rights, with a juſt Liberty to profeſs our own Religious Sentiments, which we take to be

Privilege due to all Men. We have been always ready to aſſiſt the Church of *England* in defence of the *Proteſtant* Religion, when in real and imminent Danger; being agreed with them, and all *Proteſtant* Churches, in thoſe Principles that began the Reformation; and which alone can juſtifie and ſupport it.

When there has been a Deſign to introduce *Popery* and Arbitary Power, the *Proteſtant Diſſenters* have generally been firſt attack'd; nor know we any other Reaſon why we have now ſuffer'd the Outrage of *Papiſts*, *Nonjurors*, and other diſaffected Perſons, but that they were ſure we were a Body of Men fix'd in our Duty to Your Majeſty, and lay moſt expos'd to popular Inſults, againſt which Your Maj. and your Two Houſes of Parliament, in your great Wiſdom and Goodneſs, have given us a ſeaſonable and we hope effectual Security for time to come.

Whilſt Your Majeſty's Government is diſturb'd at Home, and threatned with an Invaſion from Abroad, we can anſwer for thoſe of our Perſuaſion, that there are not any of them whoſe Principles and Inclinations will not influence them to aſſiſt and ſupport Your Majeſty and the *Proteſtant* Religion to the utmoſt of their Power; we look upon our ſelves bound by the ſtrongeſt Ties of Duty, Gratitude and Intereſt, to accknowledge and maintain Your Majeſty's undoubted Right and Title to the Imperial Crown of theſe Realms, and to declare our utmoſt Abhorrence of all Attempts either at Home or Abroad in favour of a *Popiſh Pretender*.

May that gracious Providence that has ſo ſignally appear'd in bringing Your Majeſty to the Throne of theſe Kingdoms, continue to protect and defend your Royal Perſon and Family, againſt all Attempts of your open and ſecret Enemies.

His Majeſty's moſt Gracious Anſwer was as follows:

I Am very much concern'd at the unchriſtian and barbarous Treatment, which thoſe of your Perſuaſion have met with in ſeveral Parts of my

Kingdom, and Care ſhall be taken that a full Compenſation be made to them for their Sufferings.

Many other Addreſſes were, during this Month, preſented to His Majeſty, which, by reaſon of the narrow Bounds of this Hiſtory, cannot find a Place in it: We ſhall only take notice, that the Univerſity of *Oxford* had alſo prepared an Addreſs to be preſented to His Majeſty; but the Deputies they had ſent up to *London* for that Purpoſe, were given to underſtand, 'That 'as they had ſhewn a manifeſt Diſreſpect to His 'Majeſty's Perſon and Government in all their 'late Proceedings, ſo His Majeſty expected they 'ſhould convince him of their Loyalty by their '*Actions*, and not by *Words*.' Nor was this ſharp Rebuke altogether undeſerved; for beſides the former undutiful Behaviour of ſome Members of that learned Body, it is to be obſerv'd, that, at this very Juncture, ſome Officers who raiſed Men for the new Regiments of Dragoons, were † inſulted by ſome Scholars, and hardly eſcaped with their Lives.

The Addreſs from Oxford *refuſed.*

New Diſturbance there.

† Aug. 27.

On the 4th of *Auguſt*, Their Excellencies, Meſſieurs *Van Duvenvoirde* and *Van Borſele*, Ambaſſadors Extraordinary from the States-General of the United Provinces, had Audience of His Majeſty, and in the Name of their Maſters declared, 'That upon what had been com-'municated to them on the Part of His Majeſty, 'touching the Invaſion with which his Dominions were threaten'd by the *Pretender*, Their 'High Mightineſſes had paſs'd a Reſolution, 'purſuant to which they had ſent Orders to 'the ſaid Ambaſſadors, to give His Majeſty po-'ſitive Aſſurances, in the moſt expreſs Terms, of 'their conſtant Readineſs fully to perform their 'Engagements with the Crown of *Great Britain*.

The States General declare their Readineſs to perform their Engagements with the Cr. of Gr. Brit.

Some Days before, Count *Coningſeck*, the Emperor's Miniſter, who was lately come over from the *Netherlands*, to ſettle ſome Points relating to the *Barrier*, offer'd to aſſiſt His Majeſty with ſome Imperial Troops: But the King and

Count Coningſeck offers the King ſome Imperial Troops.

Two Regiments in Newport *ſent for over.*

I thank you for this dutiful and loyal Addreſs, and you may be aſſured of my Protection.

his Council did not think the Danger ſo preſſing as to have need of Foreign Forces; and therefore contented themſelves with ſending for the Two *Engliſh* Regiments of Foot that were in Garriſon in *Newport*, whoſe Room was ſupply'd by *Imperialiſts*.

The Parliament having readily concurr'd in all the neceſſary Meaſures to ſecure His Majeſty's Dominions, the Commons thought fit vigorouſly to proſecute the *late Offenders*. Accordingly, on *Saturday*, the 30th of *July*, Mr. *Walpole* reported from the Committee of *Secrecy*, 'That 'they had directed him to exhibit *further Arti-* 'cles of *Impeachment of* High Crimes *and* Miſde- 'meanors, *againſt* Robert, *Earl of* Oxford *and Earl* Mortimer, which he read in his Place; and afterwards deliver'd them in at the Table, where they were read. And a Motion being made and the Queſtion put, that the further Conſideration of the ſaid Articles be adjourn'd till the *Tueſday* following, it paſs'd in the Negative. After this it was *order'd*, That the ſaid Articles be read Article by Article; which was done accordingly, and, with Amendments to one of them, upon the Queſtion ſeverally put thereupon, they were agreed to by the Houſe; and *order'd*, *Firſt*, That the ſaid Articles be engroſſed; *Secondly*, That a Clauſe be prepared for ſaving Liberty to the Commons to exhibit any further Articles againſt the ſaid Earl of *Oxford* and Earl *Mortimer*. Then the Commons, by reaſon of the Anniverſary of His Majeſty's happy Acceſſion to the Throne, which fell on *Monday* the 1ſt of *Auguſt*, adjourn'd to *Tueſday* the 2d; when the Ingroſſed *further Articles of Impeachment againſt* Robert, *Earl of* Oxford *and Earl* Mortimer, *for* High Crimes *and* Miſdemeanors, were read; after which it was order'd, That the Lord *Coningsby* do carry the ſaid Articles to the Lords; which His Ldſhip did immediately. The ſaid *Further Artitles* are as follows:

Proceedings of the Commons.

Further Articles againſt the Earl of Oxford *read and order'd to be ingroſſed.*

ARTI-

ARTICLE XVII.

That whereas in or about the Month of *January*, in the Year 1710 11, a dangerous and deſtructive Expedition had been projected and ſet on foot, under Pretence of making a Conqueſt on the Poſſeſſions of the *French* King in *North America*, but with a real Deſign to promote his Intereſts, by weakning the Confederate Army in *Flanders*, and diſſipating the Naval Force of this Kingdom, as well as for the ſake of the private Intereſts and corrupt Gain of the Promoters of the ſaid Expedition; he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, being then one of Her late Majeſty's Privy Council, and one of the Commiſſioners of Her Majeſty's Treaſury was not only wanting in his Duty to Her late Majeſty, by wilfully and induſtriouſly abſenting the Meetings of other Perſons, then in High Truſt under Her Majeſty, wherein the ſaid Expedition was concerted, and by not adviſing Her Majeſty againſt, and doing what in him lay, to have prevented the putting the ſame in execution, but did, contrary to his Oath, and the high Truſt then repoſed in him, adviſe Her Majeſty to conſent to the making an Expedition for the conquering *Canada*, and the City of *Quebeck*, on the River of St. *Lawrence*, in *North America*; and in Execution of his ſaid evil Counſels, he did further adviſe Her Majeſty to give Orders for detaching ſeveral Batallions of the Forces then in the Service of Her Majeſty, in Conjunction with her Allies in *Flanders*, and to ſend the ſame with a large Squadron of Men of War, on the ſaid Enterprize; altho' the ſaid *Robert*, E. of *Ox-d* and E. *Mort-r*, well knew, that the ſaid Project or Expedition having been frequently deliberated on and maturely conſider'd, a ſhort Time before, in a Committee of Council, was then laid aſide as dangerous and impracticable. And a Demand being made at the *Treaſury*, on or about the Months of *May* or *June*, 1711, for the Sum of 28000 *l.* or thereabouts, on Pretence of Arms and Merchandiſe ſaid to be ſent in the ſaid Expedition to *Canada*, He the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, being then Lord High Treaſurer of *Great Britain*, and one of Her Majeſty's Privy Council, tho' he well knew, or had Reaſon to ſuſpect, that the ſame was an Unjuſt and Exorbitant Demand, and a great Abuſe on Her Majeſty and the Publick, and ſuch as ought not to have been

been comply'd with, was not only wanting in his Duty to Her Majeſty, in not giving his humble Advice againſt the ſaid Demand, or at leaſt in not repreſenting to Her Majeſty the Grounds of ſuch his Suſpicion, but did, contrary to his Oath and his Duty, adviſe Her Majeſty that the ſaid Sums ſhould be iſſued and paid, and did accordingly counterſign a Warrant to the Paymaſter of Her Majeſty's Forces, for the Payment of the ſame, purſuant to which the ſame was afterwards iſſued and received. And in further Violation of his Oath, his Duty and Truſt, and with the moſt corrupt Deſign to prevent the Juſtice due to Her Majeſty and the Nation, he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, being then Lord High Treaſurer of *Great Britain*, and exerciſing a moſt Unexampled Arbitrary Power, not only in Her Majeſty's Private Councils, but extending his Evil Influences to the Great Council of the Nation: After the ſaid Expedition had prov'd unſucceſsful, and it had been diſcover'd to him the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, that the Nation had been cheated of above Twenty Thouſand Pounds on that Account, did moſt ungratefully and corruptly employ his wicked Arts, and the Credit which he had gain'd, by his falſe and crafty Inſinuations and Practices, to keep the Houſe of Commons from examining that Affair. And in or about the Month of *Aug.* 1714, in a Letter or Memorial, under his own Hand, to Her late Majeſty, he did preſume, not only to inſinuate the ill Opinion he therein pretended always to have had of the ſaid Expedition, but did declare the Suſpicions he had of the great Injury and Abuſe done to Her Majeſty and the Publick, in the Demand of the ſaid 28000 *l.* even at that Time, when the ſame was made, and that the Publick had been cheated of above 20000 *l.* on that Account; and in the ſaid Memorial did preſume further to declare to Her Majeſty, 'That he was 'forc'd to uſe all his Skill and Credit to keep the Houſe of 'Commons from examining that Affair the Laſt Parliament, thereby vainly, but moſt wickedly, recommending himſelf to the Continuance of Her Majeſty's Favour, by the Succeſs of his moſt profligate Meaſures. By all which unparallel'd Corruptions, and moſt dangerous Counſels and Practices of him the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, the good and faithful Allies of Her Majeſty were deprived of the

Aid

Aid of Her Majeſty's Troops, to which they were intitled by their Conventions, and the Confederate Army in *Flanders* was greatly diminiſh'd, to the apparent Advantage of the common Enemy. The publick Money, granted by Parliament for reducing the Power of *France*, and which was expreſly appropriated for other ſpecial Services, was arbitrarily and illegally miſapplied and embezel'd, and an heavy Debt incurr'd on the Nation, not only ſitting the Parliament, but even in Contempt and Defiance of a Repreſentation made by the H. of Commons to the Throne, even whilſt the ſaid Expedition was concerting, and whereby the higheſt Injuſtice was done, in ſuppreſſing an Enquiry, ſo juſt to Her Majeſty and her People, and a laſting Reproach and Scandal brought on that Houſe of Commons of which he boaſted, as having been wrought on by his corrupt Influence, not to examine into ſo high and ſo ſcandalous an Abuſe.

ARTICLE XVIII.

That the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, not contented with the high Employments and Places of Honour and Profit beſtow'd on him by her late Majeſty, nor with the large and exceſſive Gains by him made by the Incomes and Profits of the ſaid Employments, on or about the Month of *October*, 1711, whilſt the Nation was engaged in a moſt expenſive War againſt *France* and *Spain*, for preſerving the Ballance and Liberties of *Europe*, and greatly exhauſted with the Supplies and Taxes for carrying on the ſame, and was under ſuch heavy Debts as were impoſſible to be ſatisfy'd, without the utmoſt Frugality or laying grievous Taxes upon the Commons of *Great-Britain*: Contrary to his Oath and his high Truſt, and making a moſt diſhonourable and ungrateful uſe of the ready Acceſs he had to her late Majeſty, did prevail on and adviſe Her Majeſty to ſign a Warrant to himſelf, being then Lord High Treaſurer of *Great-Britain*, for the Iſſuing and Payment of the Sum of Thirteen Thouſand Pounds to *John Drummond*, Eſq; or his Aſſigns for ſuch ſpecial Services relating to the War as Her Majeſty had directed; And the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, on or about the Twenty Fourth of *November* following, in purſuance of the ſaid Warrant under Her Majeſty's Sign Manual, did ſign a Warrant for the Payment of the ſaid Thirteen Thouſand Pounds for ſuch

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ſpecial Services of the War, as Her Majeſty had directed, altho' no ſpecial Services had been, or were at any time afterwards directed by Her Majeſty, to which the ſaid Moneys were to be applied. And the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, having privately deſir'd leave of the ſaid *Drummond* to ſtrike ſome Tin Tallies in his the ſaid *Drummond*'s Name, he did purſuant thereto, direct that Orders amounting to the Sum of Thirteen Thouſand Pounds ſhould be charg'd in the Regiſter of the *Exchequer* on the Moneys ariſing by the Sale of Tin in the Name of the ſaid *John Drummond*; And tho' the ſame were accordingly ſtruck in the Name of the ſaid *Drummond*, in or about the Month of *November* Seventeen Hundred and Eleven, they were not deliver'd out to the ſaid *Drummond*, but were kept in the Treaſury-Chamber, or elſewhere in the Power or Cuſtody of the ſaid Earl, till the End of *January* following; when the ſaid *Drummond* having occaſion, as the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer* well knew, to go into *Holland*, at the deſire and requeſt of the ſaid Earl, he indors'd his Name on the ſaid Orders, and by the Direction of the ſaid Earl the ſame were left in the Hands of Mr. *John Taylour* a Clerk of the Treaſury; And the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer* did in or about the Month of *June*, Seventeen Hundred and Twelve, ſend an Order in Writing to the ſaid Mr. *Taylour* to deliver the ſaid Tallies, (he having before that Time got Poſſeſſion of the Orders) to a Servant of the ſaid Earl, which was done accordingly, the ſaid Indorſements not being at that Time fill'd up: And the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer* having by theſe corrupt and ſcandalous Methods got the ſaid Tallies and Orders into his own Hands, did afterwards fill up the Order of Twelve Thouſand Pounds, part of the ſaid Thirteen Thouſand Pounds to himſelf, and the remaining Part to ſuch other Perſons as he thought fit; And did afterwards on or about the Months of *Auguſt*, *October* and *November* Seventeen Hundred and Thirteen, at ſeveral Times diſpoſe of the ſaid Orders and Tallies to his own private Uſe and Advantage. And to cover the ſaid ſcandalous Embezelments, he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, did afterwards, as he pretends, adviſe and prevail on Her Majeſty, on or about the Fourteenth of

December

December, Seventeen Hundred and Thirteen, being near Two Years after the Indorſement by the ſaid *Drummond*, and ſome Time after the Earl had diſpos'd of the ſaid Orders and Tallies to his own uſe, to Sign a Warrant prepar'd by himſelf wherein after the Recital of ' (His own good and ' faithful Services, which had tended to the Quiet, Safety ' and Proſperity of Her Majeſty and her Realms, tho' ac- ' companied with great hazard to himſelf, and his ' Family; and that Her Majeſty was reſolv'd to beſtow ' upon him a Sum of ready Money: But the ſaid Earl re- ' preſenting to Her Majeſty, that the Arrears then due to ' her Servants and Tradeſmen were very great and preſſing, ' Her Majeſty did therefore agree and determine that he ' ſhould have to his own uſe the ſaid ſeveral Sums amounting ' to Thirteen Thouſand Pounds compris'd in the Orders ' aforeſaid, which were then not due in courſe of Payment,) It was directed that the ſaid *Drummond* ſhould aſſign the ſaid Orders, and the whole Right and Benefit thereof to the ſaid Earl and his Aſſigns; Altho' the ſaid Earl had privately and clandeſtinely procur'd from the ſaid *Drummond* an aſſignment of the ſaid Warrant and Orders near two Years before, and had fraudulently and corruptly diſpos'd and converted them to his own uſe without her Majeſty's privity or conſent, ſome time before her Majeſty was prevail'd on to ſign the ſaid Warrant. And tho' the laſt mentioned Warrant, if any ſuch there be, was not communicated to the ſaid *Drummond* by the ſaid E. during her Majeſties Life, nor was the ſame counterſign'd nor entred in the Treaſury, yet he the ſaid *Robert* Earl of *Oxford* and Mortimer, even after his ſaid Corruption had been diſcover'd in Parliament, did preſume, even without the Knowledge of the ſaid *Drummond*, to ſend the ſaid Warrant to the Commiſſioners of his Majeſty's Treaſury, deſiring that the ſame might then have been entred in the Treaſury; but the ſame was with great Honour and Juſtice refus'd to be ſo entred. By which moſt vile and ſcandalous Corruption, he the ſaid *Robert* Earl of *Oxford*, and Earl *Mortimer* was guilty of the moſt notorious Breach of his Oath and Truſt as Lord High Treaſurer of *Great Britain*, of the higheſt Abuſe of her Majeſties Goodneſs, and Embezelment of her Treaſure, and of the greateſt Injuſtice and Oppreſſion of other her Majeſties Subjects.

ARTI-

ARTICLE XIX.

That whereas by the eſtabliſh'd and known Laws of this Kingdom, the Allowances or Appointments for the Maintenance and Support of Embaſſadors, Envoys, Plenipotentiaries, and other Publick Miniſters of the Crown in Foreign Courts, ought to be aſcertain'd in due Form of Law, as well in Honour as in Juſtice to the Imperial Crown of theſe Realms, and whereas the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, in or about the Month of *July* or *Auguſt*, 1712, ſent *Matthew Prior*, Eſq; an Inſtrument and Creature of his own, into *France*, for the carrying on his Separate and dangerous Negotiations; and did afterwards, in the Month of *November*, 1712, by his evil Councils prevail on Her late Majeſty, without the Privity of, or any Communication with her Allies, to ſend the ſaid *Matthew Prior* as Her Majeſty's Plenipotentiary to the *French* King, with Inſtructions to treat and conclude Matters of the higheſt Importance, relating to the general Negotiations of Peace; but the ſame was a treacherous and wicked Contrivance of him the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, for the more effectual carrying on and promoting his private, ſeparate, and dangerous Practices, with the Miniſters of *France*, and the Enemies of Her Majeſty and her Kingdoms, he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, not regarding his Oath, or his high Truſt, or the Laws of the Kingdom, did moſt corruptly and ſcandalouſly combine with the ſaid *Matthew Prior* for the defrauding Her Majeſty of very great Sums, under the Colour of his ſaid Employments in *France*; and to that End, the ſaid Earl did contrive that the ſaid *Prior* ſhould be ſent into *France*, with the Character aforeſaid, but without any Settled Appointments and Allowances; but in the ſtead and lieu thereof, he the ſaid *Robert*, Earl of *Oxford* and Earl *Mortimer*, did give the ſaid *Matthew Prior* an Unlimited Credit, and did promiſe to anſwer and pay ſuch Bills as the ſaid *Prior* ſhould draw on him during his Reſidence in *France*; Purſuant to which Contrivance and corrupt Agreement, he the ſaid *Matthew Prior* did between the 27th of *Auguſt*, in the Year 1712, N. S. or thereabouts, and the Tenth of *July* 1714. at ſeveral times draw Bills of Exchange, to the amount of Twelve thouſand three hundred and ſixty Pounds, or thereabouts, on him the ſaid *Robert* Earl of *Oxford* and Earl *Mortimer*, which he being then Lord High Treaſurer

of *Great Britain*, did adviſe and prevail on Her Majeſty to ſign Warrants for the Payment of, and did counterſign the ſame, altho' the ſaid *Prior* was no way intituled to any ſuch Allowances by reaſon of his ſaid Employment, and the ſame greatly exceeded the Allowance even of an Ambaſſador of the Crown of *Great Britain*. And the ſaid *Robert* Earl of *Oxford* and *Mortimer*, did in the Years 1712, 1713, and 1714, without any Colour of Authority, but for the further promoting his corrupt and wicked Purpoſes, prevail on and adviſe Her Majeſty to ſign Warrants, which were counterſign'd by himſelf for the Payment of the Sum of Five thouſand five hundred and ſixty Pounds, or thereabouts, to the uſe of *Thomas Harley*, Eſq; a near Relation and Emiſſary of him the ſaid *Robert* Earl of *Oxford* and Earl *Mortimer*, out of the Moneys appropriated to the uſe of Her Majeſty's Civil Liſt, and did, in like manner, at ſeveral times in the Years aforeſaid, moſt illegally, fraudulently and corruptly Iſſue or Direct, or adviſe the Direction and Payment of ſeveral other large Sums of Money, to other Perſons out of Her Majeſty's Treaſury: By which moſt illegal and ſcandalous Management the ſaid *Robert* E. of *Oxford* and Earl *Mortimer* has introduc'd a Practice highly prejudicial to, and utterly inconſiſtent with the Conſtitution of this Kingdom, and of the moſt pernicious Conſequence, by opening a way for the moſt dangerous Corruptions; and was not only guilty of a notorious Breach of his Oath, but enter'd into the moſt baſe and ſcandalous Combination with the Perſons above mention'd, and others, under Pretence and Colour of promoting Her Majeſty's Service, to defraud Her Majeſty of the Publick Money, which he was intruſted with the Management of, for the Support of the honour and dignity of the Crown.

ARTICLE XX.

That whereas the Revenues ariſing to the Crown from the hereditary Exciſe and Poſt Office, or ſome parts thereof, were by virtue of Letters Patents of the late King *James* II. charged with and made liable to certain Annuities or Yearly Sums, in Truſt for, or to the Uſe of, *Mary* the Conſort of the ſaid King *James* II. But the ſaid Revenues were afterwards by ſeveral Acts of Parliament granted and ſettled for the Support of the Royal Houſehold, and

of

of the Honour and Dignity of the Crown; or for other publick Uſes, without any ſaving or exception of the ſaid Letters Patents. And whereas by an Act made in the twelfth Year of her late Majeſty's Reign, the Sum of Five hundred thouſand Pound was granted to her late Majeſty for the diſcharge of divers Arrears of Salaries, Diet Monies, and other Allowances, and ſundry Debts for Preemptions, Proviſions, and other Cauſes, which had then incur'd and grown due to her late Majeſty's Servants, Tradeſmen, and others, and were occaſioned by ſeveral extraordinary Expences ſince the Act for the better ſupport of Her Majeſty's Houſehold, and of the Honour and Dignity of the Crown: And the ſaid Sum of Five hundred thouſand Pound was expreſly appropriated to the Uſes aforemention'd, in Aid of the ſaid Revenues or Branches which were appointed for the Support of Her Majeſty's Houſehold, and of the Honour and Dignity of the Crown: And whereas by an Act made in the thirteenth and fourteenth Years of his late Majeſty King *William* III. It was Enacted, for preventing Traiterous Correſpondence between his Majeſty's Subjects and the pretended Prince of *Wales* or his Adherents; 'That if any of the Subjects of the 'Crown of *England* from and after the firſt Day of *March*, '1701. ſhould within this Realm or without, hold, enter-'tain, or keep any Intelligence or Correſpondence in Per-'ſon, or by Letters, Meſſages or otherwiſe, with the ſaid 'pretended Prince of *Wales*, or with any Perſon or Perſons 'employ'd by him, knowing ſuch Perſon to be ſo employ'd, 'or ſhould by Bill of Exchange or otherwiſe, Remit or Pay 'any Sum or Sums of Money for the Uſe or Service of the 'ſaid pretended Prince of *Wales*, knowing ſuch Money to be 'for ſuch Uſe or Service, ſuch Perſon ſo offending being 'lawfully convicted, ſhould be taken, deemed and adjudged 'to be guilty of High Treaſon, and ſhall ſuffer and for-'feit as in Caſes of High Treaſon. He the ſaid *Robert* Earl of *Oxford* and Earl *Mortimer*, having by the means of the ſaid *Matthew Prior*, held a private and unlawful Correſpondence with the ſaid Conſort of the late King *James* II. then reſiding in *France*, and being determin'd ſecretly to promote as far as in him lay, the Intereſt of the Pretender, but yet contriving to avoid the ſaid Penalty of High Trea-

ſon; And the ſaid Conſort of his late Majeſty King *James* II having empower'd *Abbot Gaultier* (a Popiſh Prieſt, and buſy Emiſſary between *Great Britain* and *France*, during the ſaid private and ſeparate Negotiations of Peace, and who was particularly entruſted as the Common Agent between the Miniſters of *Great Britain* and *France*, in tranſacting the moſt ſecret Affairs relating to the Pretender,) to concert with the ſaid *Robert* Earl of *Oxford* and Earl *Mortimer* the ſettling the Payment and Remittance of a very great Yearly Sum out of Her Majeſty's Treaſure into *France*, under colour and pretence of the ſaid Letters Patents; And the ſaid *Robet* Earl of *Oxford* and *Mortimer*, having held frequent clandeſtine Conferences with the ſaid *Abb. Gaultier* on the Subject aforeſaid, and having by his evil Counſels ſacrificed to *France* the Common Intereſts of *Europe*; and being reſolved that the firſt Fruits of the Peace with *France*, ſhould be an offering made, by his immediate Procurement, to the neareſt and moſt avowed Adherent of the Pretender, tho' at the great expence of the honour and ſafety of Her Majeſty and Her People, did ſoon after the Concluſion of the Peace with *France*, agree and undertake to procure the Payment of the Yearly Sum of Forty Seven Thouſand Pounds and upwards to or for the uſe of the ſaid Conſort during her Life. And in Execution of his ſaid purpoſe did afterwards on or about the 23d of *December*, 1713. being then Lord High Treaſurer of *Great Britain*, and of Her Majeſty's Privy Council, adviſe Her late Majeſty to ſign a Warrant to himſelf in the Words, or to the effect following, (*viz.*) Ann R. *Whereas our late Royal Father King* James *the Second, by Letters Patents under his Great Seal, bearing date, on or about the* 28th *Day of* Auguſt, 1685. *did Grant unto* Laurence *Earl of* Rocheſter, Henry *Earl of* Peterborough, Sidney *Lord* Godolphin, Robert Worden, *Eſq*; *and Sir* Edward Herbert *Knight*; (*who are all ſince deceaſed*) *Divers Annuities, or Yearly Sums amounting to Thirty Seven Thouſand Three Hundred and Twenty Eight Pounds Thirteen Shillings and Seven Pence, to hold to them and their Heirs during the Life of his then Royal Conſort,* Mary *now Queen Dowager in Truſt for her*; *and by other Letters Patents bearing date on or about the* 3d *Day of* December, 1686. *did alſo Grant unto the ſaid Queen, a farther Penſion or Yearly Sum of Ten Thouſand Pounds to hold during*

during her natural Life, all which were made payable in ſuch manner as in the ſaid ſeveral Letters Patents is more fully expreſt. Our Will and Pleaſure now is, and we do hereby Direct, Authorize and Command, that you cauſe Payment to be made to the Heirs of ſuch of the ſaid Truſtees as was the longeſt Liver of them, of ſo much as ſince the 25th *Day of* March *laſt,* 1713. *is incurred or grown due on the ſaid Annuity or Yearly Sums amounting to Thirty ſeven thouſand three hundred twenty eight pounds thirteen ſhillings and ſeven Pence, and to the ſaid Queen* Dowager *or her Aſſigns of ſo much as ſince the ſaid* 25th *of* March *laſt,* 1713. *is incurred or grown due on the ſaid Annuity, of Ten Thouſand Pounds, according to the purport of the ſeveral Grants, or Letters Patents above recited, as alſo of what ſhall hereafter become due and payable upon the ſaid ſeveral Annuities Quarterly, during the Life of the ſaid Queen* Dowager, *and for ſo doing, this ſhall be your Warrant given at our Court at* Windſor, Caſtle *the* 23d *Day of* December 1713. *in the Twelfth Year of our Reign.* And he did, afterwards, on or about the 24th of *December* following, ſign a Warrant to the Auditor of the Receipt of her ſaid Majeſty's Exchequer, requiring him to make and paſs Debentures for paying to 'ſuch Perſon or Perſons, as is, are, or ſhall be authorized 'to receive the Sum of Nine thouſand three hundred 'thirty-two pounds three ſhillings and four pence three 'Farthings for one Quarter incur'd upon the ſaid ſeveral 'Yearly Sums therein mentioned from *Lady Day* to *Mid-'ſummer* following, and appointed the ſame to be ſatisfied 'out of the Sum of Five hundred thouſand Pounds appro-'priated by an Act paſſed the laſt Seſſion of Parliament, 'for or towards payment of ſuch Debts and Arrears as 'were therein mentioned. And another Warrant to the 'ſaid Auditor to make and paſs Debentures for paying to 'ſaid Queen, or to Her Treaſurer, or Receiver, the Sum of 'Two thouſand five hundred Pounds, for one Quarter in-'cur'd on the ſaid Penſion of Ten thouſand Pounds from '*Lady Day* 1713. to *Midſummer* then laſt paſt, and ap-'pointed the ſame to be ſatisfied out of the Sum of Five 'hundred thouſand Pounds appropriated by an Act paſſed the 'then laſt Seſſion of Parliament, for or towards payment 'of ſuch Debts and Arrears as were therein mentioned;

Whereby

Whereby the ſaid *Robert* Earl of *Oxford* and Earl *Mortimer*, did moſt wickedly betray the Honour of her late Majeſty and the Imperial Crown of theſe Realms in adviſing her Majeſty, under Colour of the ſaid Letters Patents, and without the Advice of her Council or her Parliament, to direct the Iſſuing of the Revenue provided by Parliament, for the Support of the Honour and Dignity of her Crown, to the uſe and benefit of the open and avowed Adherents of the Pretender. And did moſt Arbitrarily, Illegally and Corruptly adviſe the Imbezelment and Miſapplication of ſo much of the ſaid Sum of Five hundred thouſand Pounds, in contempt and defiance of the Expreſs Appropriation of an Act of Parliament.

ARTICLE XXI.

That whereas by the antient and undoubted Laws of this Kingdom no Perſon being a natural born Subject of this Realm, or within any of the Dominions thereunto belonging, and having committed and being under the Guilt of High Treaſon, ought to be receiv'd within this Kingdom, as a publick Miniſter, or with any Character from any Foreign Prince, State, or Potentate; And whereas ſometime in the Year 1713. one *Patrick Lilech*, ſtiling himſelf, and commonly call'd, Sir *Patrick Lawleſs*, an *Iriſh* Papiſt, (who had ſerv'd with the late King *James* the Second, in the War in *Ireland*, againſt his late Majeſty King *William* the Third of ever glorious Memory; had followed the ſaid King *James* into *France*, and continu'd in the moſt open and avowed manner, in his Intereſts and Service, and in Rebellion againſt his ſaid Majeſty King *William*, had bore high Commiſſions, and been in open Arms againſt Her late Majeſty Queen *Anne* in the late War in *Spain*,) did come into this Kingdom, and pretended to have and did take on himſelf the Character of a Miniſter ſent from *Philip* King of *Spain*, to Her late Majeſty, to treat of Matters of the greateſt Importance to the Honour and Safety of Her Majeſty and Her Kingdoms, and having given notice of the ſame to *Robert* Earl of *Oxford* and Earl *Mortimer*, then Lord High Treaſurer of *Great Britain*, and of Her Majeſty's Privy Council, and who then aſſumed to himſelf the Supreme Direction in her Majeſty's Counſels, He the ſaid *Robert* Earl of *Oxford* and Earl *Mortimer* was not only wanting

wanting in his Duty to Her Majeſty, in not adviſing Her Majeſty againſt receiving and admitting the ſaid *Lilech*, alias *Lawleſs* in the Quality aforeſaid, but did, together with other falſe and evil Councellors, adviſe Her Majeſty to receive and admit him as a Miniſter from his ſaid Catholick Majeſty. And the ſaid Earl did preſume frequently to Meet, Confer and Negotiate the moſt important Affairs of this Nation with the ſaid *Lilech* alias *Lawleſs*, in the Quality aforeſaid. And the better to conceal his ſaid illegal and dangerous Meaſures from Her ſaid Majeſty, he the ſaid *Robert* Earl of *Oxford* and Earl *Mortimer*, was privy, conſenting and adviſing that the ſaid *Lilech* alias *Lawleſs* ſhould be introduced to her ſaid Majeſty, and ſhould be received and treated with, by Her Miniſters, under the falſe and diſguiſed Name of *Don Carlo Moro*. And the Houſe of Lords, ſometime in the Month of *April*, 1714. having taken notice of the ſaid dangerous Attempt of the ſaid *Lilech* alias *Lawleſs*, on or about the Ninth of the ſaid Month, made an humble Addreſs to Her Majeſty, 'That She would be graciouſly pleaſed to iſſue 'Her Royal Proclamation, commanding all proper Offi-'cers and Magiſtrates to make diligent ſearch for, and 'to apprehend all Popiſh Prieſts, and to put the Laws in 'execution againſt them, and likewiſe to enquire after, and 'apprehend all ſuch Perſons as had ſerved in Arms againſt 'Her Majeſty, or their late Majeſties K. *William* and Queen 'Mary, and who were then within this Kingdom, contrary 'to Law, to the end they might be brought to Juſtice; to 'which her Majeſty was graciouſly pleaſed to return an 'Anſwer to the effect following, *viz.* That ſhe would give Orders purſuant thereunto, and a Proclamation did accordingly iſſue; And on the ſaid Ninth Day of *April*, the Houſe of Lords having under their Conſideration what further Security could be provided for ſtrengthening the Proteſtant Succeſſion in the Houſe of *Hanover*, came to the following Reſolution, *viz. That no Perſon, being a natural born Subject of* Great Britain, *or within any of the Dominions thereunto belonging, and who having traiterouſly ſerv'd againſt her Majeſty, ought to be receiv'd as a Publick Miniſter, or with any Character within this Kingdom*; Notwithſtanding which, he the ſaid *Robert* Earl of *Oxford* and

Earl

Earl *Mortimer*, having no regard to the Safety of Her Majeſty's Perſon, or to the Security of the Proteſtant Succeſſion, and ſetting himſelf in utter Defiance, not only of the Advice and Reſolution of the Houſe of Lords, but of Her Majeſty's Aſſurances to that Houſe of Parliament, and of her Royal Authority and Command by Her Proclamation under the Great Seal; inſtead of doing what in him lay to have apprehended and brought or cauſed the ſaid *Lilech* alias *Lawleſs* to be brought to Juſtice, did afterwards, on or about the 15th of *March*, 1714. moſt wickedly and treacherouſly adviſe Her Majeſty to ſign a Warrant, directing the Payment of One thouſand Pounds Sterling to *Dan. Arthur*, Eſq; for ſpecial Services, which being accordingly iſſued and received by the ſaid *Arthur*, he the ſaid Earl did privately and corruptly direct the ſaid *Arthur* to pay the ſame, and accordingly the ſaid Thouſand Pounds was paid to the uſe of the ſaid *Lawleſs*; And the ſaid *Robert* E. of *Oxford* and E. *Mortimer* did at other Times, in a fictitious and ſcandalous manner, direct the Payment of other conſiderable Sums of Money out of Her Majeſty's Treaſure, to the ſaid *Lilech* alias *Lawleſs*, which were accordingly paid to him; altho' it was notorious, that the ſaid *Lilech* alias *Lawleſs* had not only traiterouſly ſerv'd in Arms againſt Her Majeſty, but had been the Miniſter and Agent of the Pretender, at the Court of *Madrid*, and was under ſtrong Suſpicions of being ſent into *England* under the Pretences aforeſaid, ſecretly to promote the Intereſt of the Pretender in theſe Kingdoms. By all which Corrupt and Evil Councils, he the ſaid *Robert* E. of *Oxford* and E. *Mortimer* did moſt baſely and ungratefully expoſe the Perſon of Her Sacred Majeſty, did what in him lay to enervate and render ineffectual the Advice of Parliament, and Her Majeſty's moſt ſolemn Declarations, in a matter of the neareſt Concern to Her Majeſty and Her Kingdoms, and by countenancing, in the moſt Corrupt and ſcandalous Manner, the ſecret Emiſſaries of the Pretender, did, by that means, greatly encourage his open Adherents, to the apparent Danger of the Proteſtant Succeſſion to the Imperial Crown of theſe Realms.

ARTICLE XXII.

That whereas Her late Majeſty Queen *Anne*, after ſeveral unſucceſsful Attempts, in Conjunction with Her Allies,

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to eſtabliſh his preſent Imperial Majeſty on the Throne of *Spain*, being inform'd, that the People of *Catalonia* were inclined to caſt off the Yoke impos'd upon them by the *French*, and to return to the Obedience of the Houſe of *Auſtria*, and Her Majeſty being deſirous to maintain and improve that good Diſpoſition in them, and to enduce them to put the ſame ſpeedily in Execution, did ſend *Mitford Crow*, Eſq; to them, with neceſſary Powers and Inſtructions to carry on ſo great a Work, for the Advantage of Her Service, and the good of the Common Cauſe; and to that End, to treat with the *Catalans*, or any other People of *Spain*, about their coming into the Intereſt of King *Charles* the Third, his preſent Imperial Majeſty, and joyning with Her Majeſty and Her Allies againſt the Common Enemy; And Her Majeſty, after Her gracious Aſſurances to aſſiſt them with Men and Money, was pleaſed to authorize Her ſaid Miniſter to give them Her utmoſt Aſſurances to procure the Eſtabliſhment of all ſuch Rights and Immunities, as they had formerly enjoy'd under the Houſe of *Auſtria*; that for their further Satisfaction, ſhe had ſent for Powers from King *Charles* the Third, for confirming the ſame, and was willing to become Guarantee, that it ſhould be done: Nevertheleſs on this expreſs Condition, that they ſhould receive the ſaid King *Charles* as lawful King of *Spain*, and utterly renounce the Houſe of *Bourbon*. And, together with the ſaid Inſtructions, Her Majeſty was pleas'd to Sign and cauſe to be deliver'd to Her ſaid Miniſter, Credential Letters to the Nobility, Magiſtrates, and all other Officers Civil and Military of *Catalonia*, deſiring them to depend on the Promiſes, he ſhould make them in Her Name. And in Her Majeſty's Inſtructions to the Earl of *Peterborough*, and to Sir *Cloud. Shovel*, in or about the Month of *May* 1705. they are order'd to uſe their utmoſt Endeavours to induce the *Catalans* to joyn with them in their Undertaking, and to aſſure them of Her Majeſty's Support, and to promiſe them, in the Queen's Name, that ſhe would ſecure them a Confirmation of their Rights and Priviledges, from the King of *Spain*, that they might be ſettled on a laſting Foundation, to them and their Poſterities. And in caſe Perſwaſions ſhould not prevail, and the *Catalans* ſhould not make a ſuitable Return to thoſe kind Offers, they were order'd to annoy their Towns on the Coaſts of *Spain*, and to reduce them by Force.

And, in Conformity to these Instructions, a *Manifesto* or *Declaration* was prepar'd, by the Privity and Advice of *Robert* Earl of *Oxford* and Earl *Mortimer*, then one of Her Majesty's Principal Secretaries of State, and deliver'd to the said Earl of *Peterborough*, full, on the one Hand, of the Assurances aforementioned, and on the other hand, of Menaces to them, in case they declined Her Majesty's Overtures, which *Manifesto* was afterwards publish'd by him the said Earl of *Peterborough* in *Catalonia*; And, whereas the Nobility, Clergy, and the whole Principality of *Catalonia*, and the Inhabitants of the Isle of *Majorca*, relying on the Faith of those Royal assurances, did utterly abandon the House of *Bourbon*, and acknowledged King *Charles* the Third his present Imperial Majesty, for their lawful Sovereign, and did joyn their Arms with those of Her Majesty and Her Allies against the Duke of *Anjou*; And it having pleased Almighty God, so far to Bless Her Majesty's pious and generous Undertaking, as by most signal Successes, in a short time, to deliver the Principality of *Catalonia*, from the heavy Yoke of *French* Bondage; and great Supplies having been granted by Parliament, for the reducing the whole Kingdom of *Spain* to the Obedience of the House of *Austria*, the Arms of Her Majesty and Her Allies were attended with vast Successes, having twice enter'd the Capital City of that Kingdom, and obtain'd many other Signal Conquests, to the great Advantage of the Common Cause. And thro' the whole Progress thereof, the Bravery and Firmness of the *Catalans* being always remarkable, thereby, as well as from the repeated Assurances given to them, from time to time, in Her Majesty's Name, by every General and Minister sent from *Great Britain* to *Spain*, the Hearts of that Brave People were united by the strongest Tyes of Affection and Gratitude to Her Majesty, and were justly held in the strictest Dependance on the Continuance of Her Royal Protection: He the said *Robert* Earl of *Oxford* and Earl *Mortimer*, being an Enemy to the Common Liberty of *Europe*, and having traiterously enter'd into Conspiracies with the Ministers of *France*, for subjecting the whole *Spanish* Monarchy to the House of *Bourbon*, and designing, most maliciously, the utter Ruin and Destruction of the antient Rights, Liberties and Privileges of the *Catalans*, who had made so glorious a Stand for the Preservation of them, did, together

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with other falſe and evil Counſellors, form a moſt diſhonourable, wicked, and cruel Contrivance, not only for abandoning the *Catalans* to the Fury and Revenge of the Duke of *Anjou* and his Adherents, but for the final Extirpation of all their Rights, Liberties, and Priviledges: And in Execution of that his Intention, during the private, ſeparate, and pernicious Negotiation of Peace, which was carry'd on between him and the Miniſters of *France*, and before any Negotiation of Peace was ſet on Foot, in due form of Law, between the Crowns of *Great Britain* and *Spain*, did adviſe Her Majeſty to give Directions to the Lord *Lexington* Her Ambaſſador to the Court of *Spain*, to acknowledge the Duke of *Anjou* King of *Spain*, but was greatly wanting in his Duty to Her Majeſty, in not adviſing Her to give Inſtructions to Her ſaid Miniſter, at the ſame time, peremptorily and abſolutely to inſiſt on the ſecuring the *Catalan* Liberties at the Concluſion of the Peace. And, altho' the private, ſeparate, and treacherous Practices of him the ſaid *Robert* Earl of *Oxford* and Earl *Mortimer*, and others, in Combination with the Miniſters of *France*, did afterwards, on or about the 18*th* of *March* 1712. neceſſitate his preſent Imperial Majeſty to conclude a Treaty for the Evacuating *Catalonia*, (whereof Her Majeſty was Guarantee,) without any expreſs and poſitive Stipulation for the *Catalan* Liberties, (his Imperial Majeſty relying, in that reſpect, on Her Majeſty's Declaration, to interpoſe for them in the moſt effectual manner, and on the Promiſes of the *French* King to joyn his Endeavours for the ſame Purpoſe,) And, altho' Her Sacred Majeſty did, both before and after, frequently declare to Her Miniſters in *Spain*, that ſhe thought her ſelf under the ſtrongeſt Tyes of Honour and Conſcience, not to abandon a People, whom the neceſſity of the War had obliged Her to draw into Her Intereſt. And, tho' the *French* King did not joyn his Endeavours for the Purpoſes aforeſaid: He the ſaid *Robert* Earl of *Oxford* and Earl *Mortimer*, together with other falſe and wicked Counſellors, having from time to time amuſed and deceived the diſtreſt *Catalans*, with groundleſs Hopes of Her Majeſty's effectual Interpoſitions, in their Favour, and thereby engaging them in a more obſtinate Defence of their Territories againſt the Duke of *Anjou*, was not only highly wanting in his Duty to Her Majeſty, by not doing what in him lay, as a faithful Miniſter, to have prevented the Con-

cluſion of the Treaty of Peace with *Spain*, till juſt and honourable Conditions were ſecured for the *Catalans*, but did falſly, maliciouſly, and treacherouſly, adviſe Her Majeſty, to Conclude a Peace with the King of *Spain*, without any Security for the antient and juſt Rights, Liberties, and Priviledges, of that Brave, but unhappy Nation; And did further adviſe Her Majeſty to ſend Sir *James Wiſhart*, Her Admiral, with a large Squadron of Men of War, at a great Expence, to favour the King of *Spain* in the Siege of *Barcelona*, the Capital City of *Catalonia*, and with expreſs Inſtructions, that, in Caſe the Inhabitants of *Majorca*, ſhould refuſe the Terms that ſhould be offer'd them by the Duke of *Anjou*, to employ his Squadron in Countenancing and Aſſiſting all Attempts, that ſhould be made for reducing them to a due Obedience. By which moſt vile and deteſtable Counſels, Her Sacred Majeſty, contrary to Her Pious Intentions, the Faith of Nations, and the Duties of Religion and Humanity it ſelf, and contrary to her moſt ſolemn Aſſurances, was prevail'd on, to abandon a diſtreſt People, drawn in, and engaged, by Her own Invitation, into an open War with the Duke of *Anjou*, for the Preſervation of the Liberties of *Europe*, and the Commerce of *Great Britain*, And the Perſons, Eſtates, Dignities, Rights, Liberties, and Priviledges of the *Catalans*, were given up as a Sacrifice, to the implacable Reſentment of their enraged and powerful Enemy; and the Honour of the *Britiſh* Nation, always renown'd for the Love of Liberty, and for giving Protection to the diſtreſs'd Aſſertors of it, was moſt baſely proſtituted, and a free and generous People, the faithful and uſeful Allies of this Kingdom, were betray'd, in the moſt unparralell'd manner, into irrecoverable Slavery: And, in Conſequence of which moſt diſhonourable and perfidious Counſels, the moſt execrable Hoſtilities, Burnings and Plunderings were committed upon them, throughout the whole Province, without ſparing the effuſion of Innocent Blood, and without the diſtinction of Age or Sex; and that unfortunate People were afterwards forc'd to undergo the utmoſt Miſeries of a Siege, in their Capital City of *Barcelona*, during which, great Multitudes of them periſhed by Famine and the Sword; many of them have ſince been Executed: And great Numbers of the Nobility of *Catalonia*, who for their Conſtancy, and Bravery, in defence of their Liberties, and for their Services in Conjunction

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with Her Majeſty and Her Allies, had, in all Honour, Juſtice and Conſcience, the higheſt Claim to Her Majeſty's Protection, are now diſperſed in Dungeons, throughout the *Spaniſh* Dominions; and not only the *Catalan* Liberties Extirpated, but, by thoſe wicked Counſels of him the ſaid *Robert* Earl of *Oxford* and Earl *Mortimer*, *Catalonia* it ſelf is almoſt become Deſolate.

All which Crimes and Miſdemeanors were committed, and done by him the ſaid Earl, againſt our Sovereign Lady the Queen, her Crown and Dignity, the Peace and Intereſt of this Kingdom, and in Breach of the ſeveral Truſts repoſed in him, the ſaid Earl.

And he the ſaid Earl of *Oxford* and Earl *Mortimer* was one of the Commiſſioners of the Treaſury, or Lord High Treaſurer of *Great Britain*, and one of Her Majeſty's Privy Council, during the time that all and every the Crimes before ſet forth were done and committed.

For which Matters and Things, the Knights, Citizens, and Burgeſſes of the Houſe of Commons in Parliament aſſembled, do, in the Name of themſelves, and of all the Commons of *Great Britain*, impeach the ſaid *Robert* Earl of *Oxford* and Earl *Mortimer* of High Treaſon, and other High Crimes and Miſdemeanors in the ſaid Articles contained. And the ſaid Commons by Proteſtation ſaving to themſelves the Liberty of exhibiting at any time hereafter, any other Accuſations or Impeachments againſt the ſaid Earl, and alſo of replying to the Anſwers, which the ſaid *Robert* Earl of *Oxford* and Earl *Mortimer* ſhall make to the Premiſes, or any of them, or to any Impeachment or Accuſation, that ſhall be by them exhibited, according to the Courſe and Proceedings of Parliament, do pray, that the ſaid *Robert* Earl of *Oxford* and Earl *Mortimer* be put to anſwer all and every the Premiſes; and that ſuch Proceedings, Examinations, Tryals and Judgments may be upon them, and every of them had and uſed, as ſhall be agreeable to Law and Juſtice. And they do further pray and demand, That the ſaid *Robert* Earl of *Oxford* and Earl *Mortimer* may be ſequeſtred from Parliament, and forthwith committed to ſafe Cuſtody.

On the 4th of *Auguſt*, Mr. *Walpole* from the Committee of Secrecy acquainted the Houſe, That the Committee had in Obedience to the Commands of the Houſe, prepared *Articles of Impeachment of* High-Treaſon, *and other*

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High Crimes and Miſdemeaners againſt Henry *Viſcount* Bolingbroke; and that the Committee had commanded him, at the ſame Time, to acquaint the Houſe, That they ſhall, in a ſhort Time, have further Articles to lay before the Houſe againſt the ſaid Viſcount; and that the Committee had directed him to report the Articles, already prepared to the Houſe. Then Mr. *Walpole* read the ſaid Articles in his Place, and afterwards deliver'd them at the Table where they were once read, and afterwards a ſecond Time, Article by Article, and upon the Queſtion ſeverally put thereupon, agreed unto by the Houſe; and order'd *Firſt*, That the ſaid Articles be ingroſſed; *2dly*, That a Clauſe be prepared, for ſaving Liberty to the Commons to exhibit any further Articles againſt the ſaid *Henry* Viſcount *Bolingbroke*; and that he may be ſequeſtred from Parliament and committed to ſafe Cuſtody.

The Articles of Impeachment againſt the Lord Vt. Bolingbroke *read and order'd to be ingroſs'd.*
Aug. 4th.

* Aug. 6th.

To Days * after the ſaid Ingroſſed Articles, againſt *Henry* Viſcount *Bolingbroke*, were read, after which it was *order'd*, Firſt, That Mr. *Walpole* do carry the ſaid Articles to the Lords; *2dly*, That Mr. *Walpole* be directed (before he exhibits the ſaid Articles to the Lords) to Impeach *Henry* Viſcount *Bolingbroke* to the Effect following *viz.*

My Lords,

The Commons aſſembled in Parliament having receiv'd Information of divers traiterous Practices and Deſigns of a Great Peer of this Houſe, Henry *Viſcount* Bolingbroke, *have commanded me to Impeach the ſaid* Henry *Viſcount* Bolingbroke *of High-Treaſon, and other High-Crimes and Miſdemeanors: And I do here in their Names, and in the Names of all the Commons of* Great Britain, *impeach the ſaid* Henry *Viſcount* Bolingbroke *of High* Treaſon, *and other High Crimes and Miſdemeanours. I am further commanded by the Houſe of Commons to pray and demand of your Lordſhips, That the ſaid* Henry *Viſcount* Bolingbroke *may be ſequeſtred from Parliament, and forthwith committed to ſafe Cuſtody.* Ac-

Accordingly, the ſame † Day, Mr. *Walpole* accompanied by a great many Members of the Commons, at the Bar of the Houſe of Lords, Impeached *Henry* Viſ. *Bolingbroke*, of *High Treaſon*, and other High Crimes and Miſdemeanours; and deliver'd in the Articles of Impeachment againſt him; and did pray and demand that the ſaid Viſcount might be ſequeſtred from Parliament; and forthwith committed to ſafe Cuſtody. The ſaid Articles are as follows:

Vol. X.

† Aug. 6th.

Mr. Walpole *impeaches him*

Articles of Impeachment at large.

ARTICLES of Impeachment of High Treaſon *and other* High Crimes *and* Miſdemeanours, *againſt* Henry, *Viſcount* Bolingbroke.

WHEREAS a Treaty of Alliance was made and concluded on or about the 7th Day of *September* 1701, between *Leopold*, then Emperor of *Germany*, His Late Majeſty King *William* the Third, of Ever glorious Memory, and Their High Mightineſſes the States General of the *United Provinces*, for repelling the Greatneſs of the common Danger which threaten'd all *Europe*, from the Duke of *Anjou*'s having taken Poſſeſſion of the Monarchy of *Spain*; wherein it was, among other things, agreed, *That in caſe the ſaid Confederates ſhall be forced to enter into a War, they ſhall communicate their Deſigns to one another, as well in relation to the Actions of the War, as all other things wherein the Common Cauſe is concerned; and that it ſhall not be permitted to either Party, when the War is once begun, to treat of Peace with the Enemy, unleſs jointly and by a Communication of Councils:* And in, and by a Defenſive Treaty and Alliance, made and concluded in or about the Month of *November* 1701, between His ſaid Late Majeſty King *William* the Third and the States General, it was, among other things, expreſly agreed, *That when the War is begun, the ſaid Confederates ſhall act in concert, according to the 7th and 8th Articles of the Treaty of the 3d of* March 1677-8, *between* England *and* Holland, *and that no Peace nor Truce, or Suſpenſion of Arms, ſhall be negotiated or made, but according to the 9th and 10th Articles of that Treaty by which it was agreed, That when the Allies came once to open War, it ſhall be lawful for neither of them afterwards to come to any Ceſſation of Arms with him who ſhall be declared and proclaimed an Enemy, without it be done conjointly and with*

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common Conſent, and that no Negotiation of Peace ſhall be ſet on foot by one of the Allies, without the Concurrence of the other, and that each Ally ſhall continually and from Time to Time impart to the other every thing that paſſes in the ſaid Negotiation. And in and by a Treaty enter'd into and concluded, on or about the Month of *June* 1703, between Her late Majeſty Queen *Anne* of Ever-bleſſed Memory, and the States General, it was, among other things, agreed, *That all Treaties and Alliances then ſubſiſting between them ſhould be returned and confirmed:* And whereas a long, bloody, and expenſive War, had been carry'd on by Her late Majeſty, in Conjunction with her ſaid Allies, and other Confederate Princes, againſt *France* and *Spain*, as well in Reſentment of the Indignity offered to theſe Kingdoms, by their having acknowledged the *Pretender* King of theſe Realms, as for obtaining a juſt Satisfaction to His Imperial Majeſty, and for the Preſervation of the *Proteſtant Religion* and the Ballance and Liberties of *Europe*; and from the great Succeſſes with which it had pleaſed Almighty GOD to bleſs the Confederate Arms, they had juſt reaſon to hope for an Honourable, Safe, and Laſting Peace; and altho' the *French* King was encouraged, in or about the Month of *April* 1711, to make Propoſitions of Peace to Her late Majeſty, ſigned by Monſieur *de Torcy*, his Secretary of State, which Her ſaid Majeſty having pleaſed to communicate to the Miniſters of the States General, ſhe did, however, graciouſly declare, by *Henry*, Viſc. *Bolingbroke*, then *Henry St. John* Eſq; and One of her Principal Secretaries of State, her Sentiments to them, *That the ſaid Propoſitions were too general*; and, at the ſame Time, the ſaid Viſcount did, in Her Majeſty's Name, and by her ſpecial Command, give them her utmoſt and moſt ſolemn Aſſurances, *That in making Peace, as in making War, ſhe would act in perfect Concert with them:* In which Sentiments the States concurring with Her Majeſty, reciprocal Aſſurances of Mutual Confidence, ſo neceſſary to prevent the Deſigns of the Enemy, were returned by them to Her Majeſty: Notwithſtanding which,

ARTICLE I.

He the ſaid *Henry*, Viſcount *Bolingbroke*, then being One of Her Majeſty's Principal Secretaries of State, and of her moſt Honourable Privy Council, but having enter'd into a moſt *treacherous Confederacy* with the Miniſters and Emiſſa-

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ries of *France*, to fruſtrate the juſt Hopes and Expectations of Her Majeſty and her People, by diſuniting the Confederacy, at the moſt critical Juncture, when they were ready to reap the Fruits of ſo many Triumphs over the common Enemy, and moſt wickedly intending, as far as in him lay, to enable the *French* King, ſo exhauſted and vanquiſhed as he had been, on all Occaſions, to carry his Deſigns by a Peace glorious to him, and to the Ruin of the victorious Allies, and the Deſtruction of the Liberties of all *Europe*; and having no regard to the ſolemn Treaties Her Majeſty then ſtood engaged in, nor to the Honour or Safety of theſe Kingdoms, did, in or about the Months of *July* or *Auguſt*, in the Year of our Lord 1711, maliciouſly and wickedly form a moſt treacherous and pernicious Contrivance and Confederacy with other evil-diſpoſed Perſons, then alſo of Her Majeſty's Privy Council, to ſet on foot a Private, Separate, Diſhonourable, and Deſtructive Negotiation of Peace, between *Great Britain* and *France*, without any Communication thereof to Her Majeſty's Allies, according to their ſaid ſeveral Treaties; and was not only wanting in his Duty and Truſt to Her Majeſty, by not oppoſing, and, as far as was in his Power, by not adviſing Her Majeſty againſt going into any Private, Separate Negotiation with *France*, but in Execution of His Purpoſes aforeſaid, he the ſaid *Henry* Viſcount *Bolingbroke*, did adviſe Her late Majeſty to ſend *Matthew Prior*, Eſq; directly to the Court of *France*, to make Propoſitions of Peace, without communicating the ſame to Her Majeſty's Allies; and accordingly the ſaid *Matthew Prior*, by the Advice and with the Privity of him the ſaid *Henry*, Viſcount *Bolingbroke*, and other *falſe* and *evil Counſellors*, in or about the Months of *July* or *Auguſt*, in the Year of our Lord 1711, was ſent in a *clandeſtine* manner from *England* to *France*, and did communicate the ſaid Propoſitions of Peace to the Miniſters of *France*, in which the particular Intereſts of *Great Britain*, as well as the common Intereſt of *Europe*, were ſhamefully betrayed; and in Manifeſtation of his ſaid Deſign to exclude Her Majeſty's Allies from their juſt ſhare in the ſaid Negotiation, an expreſs Article was inſerted in the ſaid Propoſitions, by the Privity and Advice of him the ſaid *Henry* Viſcount *Bolingbroke*, *That the Secret ſhould be inviolably kept till allowed to be divulged by the mutual Conſent of both Parties*; altho' the

French King had, in the propoſitions ſigned by Monſieur *de Torcy*, and tranſmitted in the Month of *April* preceding, offered to treat with the Plenipotentiaries of *England* and *Holland* alone, or jointly with thoſe of the Allies at the choice of *England*: By which Treacherous and dangerous Advice, He, the ſaid *Henry* Viſcount *Bolingbroke*, did not only contrive and ſet on Foot a Negotiation of Peace more advantageous to *France* than even *France* it ſelf had asked, but thereby did put it into the Power of the Common Enemy to Create Incurable Jealouſies and Diſcords between her Majeſty and her Faithful Allies, and to deſtroy that Confidence, which had ſo long and ſo ſucceſsfully been cultivated between them, and which was ſo neceſſary for their Common Safety.

ARTICLE II.

That the *French* King having in or about the Months of *Auguſt* or *September* 1711, with the Privity and by the Contrivance of the ſaid Viſcount *Bolingbroke*, and others, ſent over Monſieur *Meſnager* into *England* to carry on a *Separate* and *Clandeſtine* Negotiation of Peace, He the ſaid *Henry* Viſcount *Bolingbroke*, did afterwards in the ſaid Month of *September* 1711, or thereabouts, ſecretly and unlawfully, and without any Colour of Authority; meet, conferr, and Treat with the ſaid Sieur *Meſnager*, on the Negotiations of Peace between *Great Britain* and *France*, and therein did adviſe and promote the making a Private and Separate Treaty, or Convention, on the ſaid Subject of Peace between the ſaid Crowns, without any Communication thereof to her Majeſties Allies; And the ſaid *Henry* Viſcount *Bolingbroke* did afterwards, in Violation of his Oath and High Truſt, *falſely* and *treacherouſly* adviſe her late Majeſty to ſign Powers to ſeveral Perſons for concluding on her behalf a *Pernicious and Deſtructive Treaty* or Convention on the ſaid Subject of Peace with *France*; And on or about the ſaid 27th of *September* 1711 a Diſhonourable Deſtructive and Fatal Treaty, or Convention, was concluded and ſigned by the ſaid Sieur *Meſnager*, on the part of *France*, and by the Earl of *Dartmouth* and the ſaid Viſcount, being then two of her Majeſty's Principal Secretaries of State, and of her Privy Council, on the part of her Majeſty, by virtue only of a Warrant, under her Majeſties Sign Manual, under the Sig-

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net, directed to themſelves, but not counterſigned, and without the leaſt Knowledge, or Participation of the Allies; in which Treaty the Immediate Intereſts of *Great Britain* are given up to *France*, and the Duke of *Anjou* being therein admitted to remain King of *Spain*, the Ballance of Power, and the Liberties of *Europe* were thrown into the Hands of the Houſe of *Bourbon*.

ARTICLE III.

That whereas her late Majeſty Queen *Anne*, did, on or about the firſt of *October*, 1711, *O. S.* give Inſtructions to *Thomas* Earl of *Strafford*, her Ambaſſador to the States General of the *United Provinces*, to communicate to them certain Propoſitions of Peace which had been contrived and concerted between the ſaid Sieur *Meſnager* and the ſaid Viſcount, and others, Intituled *Preliminary Articles on the part of* France *to come to a General Peace*, together with her Majeſties Sentiments and Reſolutions concerning the Proſecution and carrying on the War againſt *France* and *Spain*, in caſe the States were deſirous to carry on the ſaid War: And whereas for ſeveral Years before and till the ſaid Month of *October* 1711, there was open War between her late Majeſty and the *French* King, and the ſaid War continuing for all the ſaid time and afterwards the *French* King, and his Subjects were Enemies to her late Majeſty, He, the ſaid *Henry* Viſcount *Bolingbroke*, being then one of her Majeſties Principal Secretaries of State, and one of her Majeſties Privy Council, and a Subject of her ſaid Majeſty, not conſidering the Duty of his Allegiance, but having altogether withdrawn the Cordial Love, and true and due Obedience which every true and faithful Subject owed to her ſaid Majeſty, and deſigning to Give Aid, and Succour and to adhere to the ſaid *French* King, againſt her ſaid Majeſty, did, on or about the 2d of *October*: 1711, during the ſaid War, Falſely, Wickedly, Maliciouſly, and Traiterouſly Aid, Help, Aſſiſt, and Adhere to the ſaid *French* King, and his Subjects Enemies to her ſaid late Majeſty, againſt her ſaid late Majeſty, and in Execution and Performance of his ſaid Aiding, Aſſiſting, and Adhering, He did on or about the 2d of *October*, 1711, Falſely, Maliciouſly, and Traiterouſly, diſcloſe and Communicate her Majeſties ſaid Inſtructions to her ſaid Ambaſſador, or was Privy to, and did adviſe, conſent,

or approve that the ſame ſhould be, and accordingly the ſame were communicated, and diſcloſed to the ſaid Sieur *Meſnager*, a Subject of the ſaid *French* King, and an Enemy to Her late Majeſty; and in further Execution and Performance of his ſaid aiding, aſſiſting, and adhering, he, the ſaid *Henry*, Viſcount *Bolingbroke*, did, in and by a Letter or Writing, by him wrote to Monſieur *de Torcy*, on or about the 2d of *Oct.* 1711, diſcloſe, communicate, and notify, or did intend to notify, to Monſieur *de Torcy*, a Subject, Miniſter, and Secretary to the *French* King, and an Enemy to Her late Majeſty, that the ſaid Sieur *Meſnager* was fully informed of Her Majeſty's ſaid Inſtructions to the Earl of *Strafford*, thereby falſely, maliciouſly, and traiterouſly informing and adviſing the ſaid Monſieur *de Torcy*, from what Perſon and by what means he might come to the Knowledge of Her Majeſty's ſaid Inſtructions, contrary to the Duty of his Allegiance and the Laws and Statutes of this Realm.

ARTICLE IV.

That whereas Her late Majeſty Queen *Anne* did, in or about the Month of *December* 1711, in due Form of Law, under the Great Seal, conſtitute the Right Reverend *John*, Lord Biſhop of *Briſtol*, and *Thomas*, Earl of *Strafford*, her Plenipotentiaries, with full Powers and Inſtructions to meet, treat, and conclude with the Plenipotentiaries of her Allies, and thoſe whom the *French* King ſhould, on his Part, depute for that Purpoſe, the Conditions of a *Good and General Peace*: And whereas His Imperial Majeſty, Their High Mightineſſes the States General of the *United Provinces*, and other Her Majeſty's Allies, and the *French* King, having duely conſtituted and appointed their ſeveral and reſpective Plenipotentiaries for the Purpoſes aforeſaid, the Negotiatiations and Conferences for a General Peace were opened before them at *Utrecht*, about the Months of *January* or *February* 1711, and the ſame continued till the 4th of *March* 1711, and afterwards: And whereas on the ſaid 4th of *March* 1711, there was open War between Her late Majeſty and the *French* King, and the ſame having continued for ſeveral Years before, and at the ſame Time, and afterwards, the ſaid *French* King and his Subjects were, during all the ſaid Time, Enemies to Her ſaid Majeſty and her Subjects, he, the ſaid *Henry* Viſcount *Bolingbroke*, then being One of Her Maje-

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ſty's Principal Secretaries of State, and of her Privy Council, and a Subject of Her ſaid Majeſty, not conſidering the Duty of his Allegiance, but having withdrawn his Duty and Obedience from Her ſaid Majeſty, and conſpiring and confederating with the Enemies of Her ſaid Majeſty and the Subjects of the ſaid *French* King, to give him Aid and Succour againſt Her ſaid Majeſty, did, on or about the ſaid 4th Day of *March* 1711, falſely, wickedly, and traiterouſly aid, comfort, aſſiſt, and adhere to the ſaid *French* King, againſt Her ſaid Majeſty, and in Execution and Performance of his ſaid aiding, aſſiſting, and adhering, he, the ſaid Viſcount, did, on or about the ſaid 4th of *March* 1711, falſly, maliciouſly, and traiterouſly communicate and diſcloſe Her ſaid Majeſty's Final Inſtructions to her ſaid Plenipotentiaries, relating to the ſaid Negotiations of Peace, or was privy to, and did adviſe and conſent, and approve that the ſame ſhould be, and accordingly the ſame were communicated and diſcloſed to Abbot *Gaultier*, an Agent and Emiſſary of the ſaid *French* King, and an Enemy of Her ſaid Majeſty; and in further Execution and Performance of his ſaid aiding, aſſiſting, and adhering, he, the ſaid *Henry*, Viſcount *Bolingbroke*, did by a Letter or Writing wrote by himſelf, on or about the ſaid 4th of *March*, falſely, maliciouſly, and traiterouſly diſcloſe, communicate, and notify, or did intend thereby to communicate and notify, to Monſieur *de Torcy*, a Miniſter, Secretary of State, and Subject of the ſaid *French* King, and an Enemy of Her ſaid Majeſty, that the ſaid *Gaultier* was informed of Her Majeſty's ſaid Inſtructions to her ſaid Plenipotentiaries, thereby falſely and traiterouſly informing and adviſing the ſaid Monſieur *de Torcy*, by what means, and from what Perſons, he might have the Knowledge of Her Majeſty's ſaid Inſtructions, contrary to the Duty of his Allegiance and the Laws and Statutes of this Realm.

ARTICLE V.

That whereas the States General of the *United Provinces* were, in or about the Months of *September* or *October*, in the Year of our Lord 1712. in Poſſeſſion of the ſtrong and important Town and Fortreſs of *Tournay*; and whereas the *French* King had, during the Courſe of the ſaid *private*, *ſeparate*, and *traiterous Negotiation*, between him the ſaid, *Henry* Viſcount *Bolingbroke*, and others, and the Miniſters of

France

France, ſignified his Conſent to the Miniſters of *Great Britain*, that the ſaid Town and Fortreſs of *Tourney* ſhould remain to the ſaid States General, as part of their Barrier; And whereas her Majeſty, in her Inſtructions of *December*, the 23d 1711 to her Plenipotentiories at *Utrecht*, had expreſly directed them to inſiſt with the Plenipotentiaries of *France*, in the General Congreſs that, towards forming a ſufficient *Barrier* to the States General, *Tournay* ſhould remain to their High Mightineſſes, and did afterwards declare her ſelf conformably thereunto in her Speech to both Houſes of Parliament, on the 6th of *June*, 1712, in which ſhe Communicated to them the Terms, whereon a Peace might be made; And whereas for ſeveral Years before and till the ſaid Months of *September* and *October*, in the Year of our Lord, 1712, there was open War between her late Majeſty and the *French* King, and the ſaid War continuing for all the ſaid Time, and afterwards the ſaid *French* King and his Subjects, were Enemies to her Majeſty, He, the ſaid *Henry* Viſcount *Bolingbroke*, then being one of her Majeſties Principal Secretaries of State, and of her Privy Counſel, and a Subject of her ſaid Majeſty, not conſidering the Duty of his Allegiance, but having altogether withdrawn the Cordial Love, and true and due Obedience, which every true and faithful Subject owed to her ſaid Majeſty, and deſigning to give Aid and Succour, and to adhere to the ſaid *French* King, againſt her ſaid Majeſty, did in or about the Months of *September* or *October* 1712, during the ſaid War, Falſely, Maliciouſly, Wickedly and Traiterouſly, Aid, Help and Aſſiſt, and adhere to the *French* King, then an Enemy to her late Majeſty, againſt her ſaid Majeſty, and in Execution and Performance, of the ſaid Aiding, Aſſiſting, and Adhering, Maliciouſly, Falſely and Traiterouſly, did counſel and adviſe the ſaid Enemy, in what manner, and by what methods the ſaid Important Town, and Fortreſs of *Tournay*, then in Poſſeſſion of the States General, might be gained from them to the *French* King, contrary to the Duty of his Allegiance, and the Laws and Statutes of this Realm.

ARTICLE VI.

That whereas her late Majeſty Queen *Anne*, not only in purſuance of the Treaties ſhe ſtood engaged in to her good Allies, and in particular to his Imperial Majeſty, for the Recovery of the Monarchy of *Spain* to the Houſe of *Auſtria*,

ſtria, thereby to preſerve a due Ballance of Power in *Europe*, but alſo from her juſt Reſentment againſt the Duke of *Anjou*, who then ſtiled himſelf King of *Spain*, and who, in Defiance of her Majeſties Title to the Crown, had acknowledg'd the *Pretender*, as King of *Great Britain*, and on theſe Juſt Foundations her Majeſty had, in Vindication of the Honour of the Crown, and in Juſtice to her People, at a vaſt Expence of Blood and Treaſure, and on the Earneſt and repeated Advices of her Parliament, proſecuted a vigorous War againſt the ſaid Duke of *Anjou*; And whereas in the Years of our Lord 1710, 1711, and 1712, the ſaid Open, Bloody, and Expenſive War, was carried on between her ſaid late Majeſty Queen *Anne*, and the ſaid Duke of *Anjou*, and during all the time aforeſaid, the ſaid War did continue, and for all that time the ſaid Duke of *Anjou*, and the Subjects of *Spain*, adhering to him, were Enemies of her late Majeſty, He, the ſaid *Henry* Viſcount *Bolingbroke*, then being one of her Majeſties Principal Secretaries of State, and of her Privy Council, and a Subject of her ſaid Majeſty, not conſidering the Duty of his Allegiance, but having withdrawn his due Obedience from her ſaid late Majeſty, did at ſeveral times, in the ſaid Years of our Lord 1710, 1711, and 1712, Falſely, Maliciouſly, Wickedly, and Traiterouſly Aid, Help, Aſſiſt, and Adhere to the ſaid Duke of *Anjou*, then an Enemy to her ſaid late Majeſty, and againſt her ſaid Majeſty, and in Execution and Performance of his ſaid Aiding, Helping, and Aſſiſting, and Adhering, and in Conſederacy and Combination with the then Enemies of her late Majeſty, and with divers other wicked and evil diſpoſed Perſons, did at ſeveral times, in the Years aforeſaid, Adviſe and Counſel the Enemies of her late Majeſty, againſt her ſaid Majeſty, and in ſuch Counſelling and adviſing did concert with them and did promote the yielding, and giving up *Spain* and the *Weſt-Indies*, or ſome part thereof, to to the ſaid D. of *Anjou*, then in Enmity with her Maj. againſt the Duty of his Allegiance, and the Laws and Statutes of this Realm

All which Crimes and Miſdemeanors, were committed and done by him the ſaid *Henry* Viſcount *Bolingbroke* againſt our late Sovereign Lady the Queen, her Crown and Dignity, the Peace and Intereſt of this Kingdom, and in Breach of the ſeveral Truſts repoſed in him the ſaid Viſcount, and he, the ſaid *Henry* Viſcount *Bolingbroke*, was one of her Maj-

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ſties Principal Secretaries of State, and one of her Privy Council, during the time that all and every the Crimes before ſet forth, were done and Committed.

For which Matters and Things, the Knights, Citizens and Burgeſſes of the Houſe of Commons in Parliament Aſſembled, do in the name of themſelves and of all the Commons of *Great Britain*, Impeach the ſaid *Henry* Viſcount *Bolingbroke* of High Treaſon, and other High Crimes and Miſdemeanors in the ſaid Articles contained; and the ſaid Commons, by proteſtation ſaving to themſelves the Liberty of Exhibiting at any time hereafter, any other Accuſations or Impeachments againſt the ſaid *Henry* Viſcount *Bolingbroke*, and alſo of replying to the Anſwers, which the ſaid *Henry* Viſcount *Bolingbroke* ſhall make to the Premiſſes, or any of them, or to any Impeachment or Accuſation, that ſhall be by them exhibited, according to the Courſe and Proceedings of Parliament, do pray that the ſaid *Henry* Viſcount *Bolingbroke*, be put to anſwer all and every the Premiſſes; and that ſuch Proceedings, Examinations, Tryals, and Judgments may be upon them, and every of them, had and uſed, as ſhall be agreeable to Law and Juſtice: And they do further Pray and Demand, that the ſaid *Henry* Viſcount *Bolingbroke*, may be Sequeſtred from Parliament, and forthwith Committed to ſafe Cuſtody.

† Aug. 6th. The ſame † Day, the Lords ſent a Meſſage to acquaint the Commons, 'That their Lordſhips 'had order'd *Henry* Viſcount *Bolingbroke* to be 'forthwith attach'd, by the Gentleman Uſher of 'the *Black-Rod* attending the Houſe of Lords, 'and brought to their Lordſhip's Bar, to an-'ſwer the Articles exhibited againſt him by the 'Houſe of Commons:" But the Lord *Bolingbroke* had long before conſulted for his Safety by retiring into *France*. As to the Duke of *Ormond*, tho' his Grace to keep up the Spirits of his Party, had made a ſhew to ſtand the Proſecution with which he was threaten'd; and had, either through his own Obſtinacy, or rather, through the Siniſter Suggeſtions of a fiery Prelate, rejected the wiſe Counſel of his true Friends, which was, to make his Submiſſion to the King: Yet, aſſoon as his Grace ſaw the

Hands

Hands of the Government like to be ſtrengthen'd not only with new Levies, but alſo with an Act for ſuſpending the *Habeas-Corpus-Act*, his Courage began to fail him; and ſo, the Night between the 20th and 21ſt of *July*, he went from his Houſe at *Richmond*, accompany'd only by one *Renauld*, a *French Papiſt*, his Confectioner; and embarking privately on board a *Veſſel*, on the Coaſt of *Kent*, a few Days after landed in *France*: Which caſt a general Damp on the Spirits of His Grace's Party, and loſt him abundance of *Well-wiſhers* among the *Whigs*.

The Duke of Ormond flies to France.

On the 5th of *Auguſt*, Mr. *Walpole*, from the Committee of Secrecy, acquainted the Houſe, That the Committee had, in Obedience to the Commands of the Houſe, prepared Articles of Impeachment of *High Treaſon*, and other High Crimes and Miſdemeanors, againſt *James* Duke of *Ormond*, which they had directed him to report to the Houſe. Then Mr. *Walpole* read the ſaid Articles in his Place, and afterwards deliver'd them in at the Table, where they were once read; and afterwards a ſecond Time, Article by Article. A Motion being made, and the Queſtion put, That the Houſe agree to the Firſt Article, there aroſe a warm Debate, in which ſeveral remarkable Speeches were made. Among the reſt, a Member of a Conſiderable Eſtate, and who had, all along, voted with the *Tories*, ſaid, 'That the Report of the Committee of '*Secrecy* had begun to open his Eyes; and that 'the D. of *Ormonde*'s Flight had fully convinc'd 'him, that the Heads of the *Tory Party* were a Set 'of *Knaves and Villains*, who deſign'd to have 'ruin'd their Country, and made it a Province 'of *France*.' The Lord *Stanhope*, Eldeſt Son to the Earl of *Cheſterfield*, and a Member of the Houſe, who ſpoke for the firſt Time on this Occaſion, ſaid, 'He never wiſh'd to ſpill the Blood 'of any of his Country-men, much leſs the 'Blood of any Nobleman; but that he was per-

Articles of Impeachment againſt the D. of Ormond read; Aug. 5th.

Debate thereupon.

'ſuaded, that the Safety of his Country required 'that Examples ſhould be made of thoſe who had 'betray'd it in ſo infamous a manner.' The Lord *Finch*, Eldeſt Son to the Earl of *Nottingham*, ſpoke alſo on the ſame Side; and after ſome other Speeches, the Firſt Article was agreed to by a Majority of 177 Voices againſt 78; and then the other Articles, upon the Queſtion ſeverally put thereupon, were alſo agreed unto by the Houſe: After which it was order'd *1ſt*, That the ſaid Articles be ingroſſed; *2dly*, That a Clauſe be prepared for ſaving Liberty to the Commons to exhibit any further Articles againſt the ſaid *James*, D. of *Ormonde*, and that he may be ſequeſter'd from Parliament, and committed to ſafe Cuſtody.

The Articles order'd to be ingroſſed.

On *Monday* the 8th of *Auguſt*, the Ingroſſed Articles againſt His Grace were read, upon which it was order'd, *1ſt*, That Mr. Secretary *Stanhope* do carry the ſaid Articles to the Lds. 2. That Mr. Secretary *Stanhope* be directed, before he exhibits the ſaid Articles to the Lords, to impeach *James* D. of *Ormonde* to the ſame Effect, and in the ſame Form, as was before recited, in relation to *Henry*, Viſcount *Bolingbroke*: Which Mr. Secretary did, the ſame * Day, accordingly. The Articles againſt His Grace are as follows:

* Aug. 8th. *The Duke of* Ormond *impeach'd.*

Articles againſt him.

Articles of Impeachment of High Treaſon, and other High Crimes and Miſdemeanors, againſt James, *Duke of* Ormonde.

I. THAT whereas *James*, Duke of *Ormonde*, in or about the Month of *April* 1712, being appointed General of the Forces in the *Netherlands* of Her late Majeſty Queen *Anne*, with Orders to proſecute the War againſt *France* with all poſſible Vigour, in Conjunction with Her ſaid Majeſty's Allies; and having, by Her ſaid Majeſty's Directions, and in her Name, given her ſaid Allies the moſt ſolemn Aſſurances to that Purpoſe, was thereupon admitted into the Counſels, and made privy to the moſt ſecret Deſigns of the Generals of the Confederate Army againſt the common Enemy, and of the Meaſures they thought moſt proper to carry on the War with

with Succeſs; and whereas, in the ſaid Year 1712, the ſaid War was carry'd on between Her ſaid late Maj. and the ſaid *French* King, and during all the ſaid Year the War did continue, and for all that Time the ſaid *French* King and his Subjects were Enemies of Her late Majeſty, he the ſaid *James*, Duke of *Ormonde*, then General of Her Majeſty's Army, and a Subject of Her Majeſty, not conſidering the Duty of his Allegiance, but having withdrawn his true and due Obedience from her ſaid late Majeſty, and Affections from his Country, did, during the ſaid War, falſely, maliciouſly, wickedly, and traiterouſly aid, help, aſſiſt, and adhere to the ſaid *French* King, againſt Her ſaid late Majeſty; and in execution of his ſaid aiding, helping, and adhering, maliciouſly, falſly, and traiterouſly, contrary to the Duty of his Allegiance, and the Laws and Statutes of this Realm, did, on or about the 26th of *May* 1712, ſend private Intelligence and Information to Mareſchal *Villars*, then an Enemy to Her ſaid late Majeſty, and General of the *French* King's Army, againſt Her Majeſty and her Allies, of a March the Army of Her ſaid late Majeſty and her Allies was then going to make, and of the Deſigns of the ſaid Army in making the March.

II. That whereas in or about the Month of *May* 1712, a traiterous Deſign was carry'd on between *Henry St. John*, Eſq; One of Her ſaid late Majeſty's Principal Secretaries of State, and other evil-diſpoſed Perſons, and the Miniſters of *France*, to defeat the juſt Expectations of the great Advantages over the common Enemy, Her Majeſty and the Nation had the reaſon to hope for, from the great Superiority of the Confederate Forces in the *Netherlands*, to obtain which very large Sums of Money had been cheerfully given by the Parliament; and to that End, the ſaid *Henry St. John* had given ſecret Aſſurances to the *French* Miniſters, that Her Majeſty's General in the *Netherlands* (tho' under the moſt ſolemn Engagements to act vigorouſly in concert with the Allies) ſhould not act againſt *France*; and had alſo engaged the ſaid *James*, Duke of *Ormonde*, to concur in the ſaid wicked Purpoſe, which evil Practices of the ſaid *Henry St. John* and others, when they were firſt ſuſpected, giving the greateſt Alarm to the Minds of the Allies, to the Parliament, and to the whole Kingdom, and being thereupon openly diſavowed by all the Conſpirators in the moſt publick manner; he the ſaid *James*,

Duke of *Ormonde*, in order to diſguiſe, and conceal from Her ſaid late Majeſty, and the whole Kingdom, the ſaid traiterous Deſigns then carry'd on by the ſaid *Henry St. John*, and other falſe Traitors to Her Majeſty and their Country, in Aid and Comfort of the *French* King, then in open War with, and an Enemy of Her ſaid late Majeſty, did, by his Letter of the 25th of *May* 1712, to the ſaid *Henry St. John*, then Her Majeſty's Principal Secretary of State, call'd his *Publick Letter*, becauſe prepared and intented to be read before Her ſaid Majeſty and her Council, wickedly, falſly, and treacherouſly abuſe and impoſe upon Her ſaid Majeſty and her Council, by affirming and declaring therein, that if he found an Opportunity to bring the Enemy to a Battel, he ſhould not decline it, altho' by a private Letter writ by the ſaid *James*, Duke of *Ormonde*, of the ſame Date, and to the ſaid *Henry St. John*, deſigned to be read to the ſaid *Henry St. John* and the Conſpirators only, he the ſaid *James*, Duke of *Ormonde*, did, on the contrary, wickedly promiſe and engage, that he would not attack or moleſt the *French* Army, or engage in any Siege againſt *France*.

III That he the ſaid *James*, Duke of *Ormonde*, in or about the Month of *June* 1712, being at that Time General of Her Majeſty's Forces againſt *France*, and a Subject of Her Majeſty, not conſidering the Duty of his Allegiance, but having altogether withdrawn the cordial Love and due Obedience which every faithful Subject owed to Her ſaid Majeſty, and devoting himſelf to the Service of *France*, and deſigning to give Aid and Comfort to the *French* King and his Subjects, then in open War with, and Enemies to Her ſaid late Majeſty, in Violation of the many Treaties of Alliance between *Great Britain* and ſeveral other Princes and States, for carrying on the War againſt *France*, and of the ſaid Inſtructions to him on or about the 7th of *April* 1712, under the Sign Manual, in Purſuance thereof, and of the ſolemn Declaration he had but lately before, by Her ſaid Majeſty's Command, and in her Name, made to the Penſionary of *Holland*, and the Generals of the Confederate Army, to puſh on the War with all poſſible Vigour: And alſo in open and manifeſt Violation of the laſt Order, ſent him by a Letter from the ſaid *Henry St. John*, on or about the 7th of *June* 1712; whereby the ſaid *James*, Duke of *Ormonde* was directed to

make

make no Ceſſation of Arms with the *French*, unleſs the Articles demanded by Her Majeſty, and expreſly mention'd and ſet down in the ſaid Letter for the ſaid Ceſſation, ſhould be comply'd with by *France*; and whereby he the ſaid *James*, Duke of *Ormonde*, was likewiſe further expreſly directed and told, that in caſe the Conditions therein mentioned were not comply'd with by *France*, that then he was entirely free from Reſtraint, and at liberty to take all reaſonable Meaſures in his Power, for annoying the Enemy, and at full liberty of acting againſt *France*, did, on or about the 25th of *June* aforeſaid, falſly, maliciouſly, wickedly, and traiterouſly aid, help, aſſiſt, and adhere to the *French* King, againſt Her ſaid late Majeſty, and then in open War with Her Majeſty: And in Execution of the ſaid aiding and aſſiſting, helping and adhering to, and in purſuance of a wicked Promiſe he had ſecretly made the ſame Day to Mareſchal *Villars*, General of the *French* Army, to that purpoſe, maliciouſly, falſly, and traiterouſly, contrary to the Duty of his Allegiance, and the Laws and Statutes of this Realm, did adviſe and endeavour to perſuade the Generals of the Confederate Army againſt *France*, and the Deputies of the States-General, to raiſe the Siege of *Queſnoy*, a *French* Town then beſieg'd by them; and did then further traiterouſly and wickedly refuſe to act any longer againſt *France*; and then alſo traiterouſly and wickedly told the ſaid Generals of the ſaid Confederate Army, and the ſaid States Deputies, that he could no longer cover the Siege of *Queſnoy*, but was obliged by his Inſtructions to march off with the Queen's Troops, and thoſe in Her Majeſty's Pay: Whereas in Truth, and the Commons expreſly charge, that he the ſaid *James*, Duke of *Ormonde*, did traiterouſly and wickedly make the ſaid Declaration, and refuſed to act againſt *France*, in manifeſt Contradiction, not only to his Original Orders, but alſo of the ſaid Letter to him of the 7th of *June*, from the ſaid *Henry St. John*, ſince none of the Articles demanded by Her Majeſty for a Ceſſation of Arms, and expreſs'd in the ſaid Letter to be the Condition without which no Ceſſation of Arms was to be made, had been comply'd with by the *French*. And in further Execution of his ſaid traiterous Deſigns, he the ſaid *James*, Duke of *Ormonde*, by a Letter to the ſaid Mareſchal *Villars*, on the 24th of *June* aforeſaid, did traiterouſly, and wickedly ſend Intelligence

gence to the ſaid Mareſchal *Villars* of the beforementioned Paſſages, between the ſaid *James*, Duke of *Ormond*. and the Generals of the Confederate Army, and the States Deputies, and how his Propoſitions were received by them; and alſo of the Diſpoſition he obſerv'd in the Foreign Troops to adhere to the ſaid Confederates in caſe of a Separation by the Troops of *Great Britain*.

IV. That he the ſaid *James* Duke of *Ormonde*, did not only wickedly, and falſely affirm to the Generals of the Confederate Army, and the States Deputies, that his Refuſal to act any longer againſt *France*, and to cover the Siege of *Queſnoy* was in purſuance of the Inſtructions he had received for that purpoſe; but alſo to induce the ſaid Generals of the Confederate Army, and the States Deputies to comply with his Propoſal to them to abandon the ſaid Siege; he the ſaid *James* Duke of *Ormonde*, did wickedly repreſent their Complyance therein as the moſt effectual way to induce her ſaid Majeſty to take care of the ſaid Confederates Intereſts at the Peace, whereby he the ſaid *James* Duke of *Ormonde* did in effect threaten her ſaid Majeſty's good Friends and Allies, that unleſs they would diſhonourably abandon an Enterprize undertaken by common Conſent, and thereby ſave a ſtrong Fortreſs and Numerous Garriſon of the Enemy, they were not to expect that her Majeſty would take Care of their Intereſts at the General Peace.

V. That he the ſaid *James* Duke of *Ormonde*, having received a Letter dated on or about the 14th of *July* 1712 from the ſaid Mareſchal *Villars*, the *French* General, deſiring to be inform'd what Troops remained with the Confederate Army, or what Troops and Generals marcht off from him, the ſaid Duke, and declaring at the ſame Time, that the Reaſon of the Enquiry was in Order to fall upon, and attack the ſaid Confederate Army; He the ſaid *James* Duke of *Ormonde*, on or about the 16th of *July*, 1712, did Traiterouſly and Wickedly, contrary to the duty of a Good and Faithful Subject, and contrary to his Allegiance, and the Laws and Statutes of this Realm, aid, help, aſſiſt and adhere to the ſaid *French* King and his Subjects, againſt her ſaid late Majeſty, and then in open War with, and Enemies to her ſaid late Majeſty: And in Execution of his

ſaid

ſaid aiding, helping, aſſiſting, and adhering, He the ſaid *James* Duke of *Ormonde*, on or about the ſaid 16th Day of *July* 1712, did traiterouſly ſend ſecret Intelligence to the ſaid Mareſchal *Villars* the General of the *French* Army, of the Number of the Troops that had left the ſaid Confederate Army, and alſo of the March the ſaid Confederate Army had that Morning made.

VI. And whereas he the ſaid *James* Duke of *Ormonde* had received Advice that the States General, on or about the Month of *October*, 1712, had formed a Deſign to ſurprize and take the Towns of *Newport* and *Furnes* or one of them then in Poſſeſſion of the *French* King: That he the ſaid *James* Duke of *Ormond*, intending to ſtrengthen the Hands of the Common Enemy by declaring the ſaid Enterprize; did on or about the 21ſt Day of *October* 1712 in a Letter to the ſaid *Henry St. John*, then Viſcount *Bolingbroke*, wickedly and baſely ſuggeſt to adviſe her late Majeſty to ſend ſecret Intelligence of it to betray the ſaid Counſels and Deſigns of her good and faithful Allies the States General to the *French* General, then in War with, and an Enemy to her Majeſty; and did further wickedly and baſely ſuggeſt the means of putting the ſaid Treachery in Execution, by giving private Intelligence of the Deſign to the ſaid Mareſchal *Villars*.

All which Crimes and Miſdemeanours were committed, and done by him the ſaid *James* Duke of *Ormonde*, againſt our late Sovereign Lady the Queen, her Crown and Dignity, the Peace and Intereſt of this Kingdom, and in Breach of the ſeveral Truſts repoſed in him, the ſaid Duke.

And he the ſaid *James* Duke of *Ormonde* was General of her Majeſty's Forces in the *Netherlands*, and one of Her Privy Council, during the time that all and every the Crimes before ſet forth were done and committed.

For which Matters and Things, the Knights, Citizens, and Burgeſſes of the Houſe of Commons in Parliament aſſembled, do, in the Name of themſelves, and of all the Commons of *Great Britain*, impeach the ſaid *James* Duke of *Ormonde* of High Treaſon, and other High Crimes and Miſdemeanours in the ſaid Articles contained. And the Commons by Proteſtation ſaving to themſelves the Liberty to exhibit at any time hereafter, any other Accuſations or Impeachments againſt the ſaid *James* D. of *Ormonde*, and alſo of replying to the Anſwers,

which

which the ſaid Duke ſhall make to the Premiſes, or any of them, or to any Impeachment or Accuſation, that ſhall be by them exhibited, according to the Courſe and Proceedings of Parliament, do pray, that the ſaid *James* Duke of *Ormonde* be put to anſwer all and every of the Premiſes; and that ſuch Proceedings, Examinations, Tryals and Judgments may be upon them, and every of them had and uſed, as ſhall be agreeable to Law and Juſtice. And they do further pray and demand, That the ſaid *James* Duke of *Ormonde* may be ſequeſtred from Parliament, and forthwith committed to ſafe Cuſtody.

* Aug. 8th. The ſame * Day, the Lords ſent a Meſſage to acquaint the Houſe of Commons, 'That Their Lordſhips had order'd *James* Duke of *Ormonde* to be forthwith attach'd by the Gentleman-Uſher 'of the *Black Rod* attending the Houſe of 'Lords, and brought to Their Lordſhips Bar to 'anſwer the Articles exhibited againſt him by the 'Houſe of Commons.

MVSEVM BRITANNICVM

On the 9th of *Auguſt*, the Lords ſent another Meſſage to the Commons, to acquaint them, 'That the Gentleman-Uſher of the *Black Rod* 'had that Day return'd to Their Lordſhips, that 'in Obedience to Their Lordſhips Order of the 'Sixth of *Auguſt* Inſtant, to attach *Henry* Viſcount *Bolingbroke*, he had made diligent Search 'and Inquiry after the ſaid Viſcount, as well at 'the laſt and uſual Places of Abode of the ſaid 'Lord Viſcount *Bolingbroke*, as elſewhere; but 'the ſaid Lord Viſcount *Bolingbroke* was not to 'be found, ſo as that he might be attach'd, as 'was commanded by the ſaid Order.' Upon this Meſſage the Commons order'd *a Bill* to be brought in *to ſummon* Henry *Viſc.* Bolingbroke *to render himſelf to Juſtice by a Day therein to be limited, or, in Default thereof, to attaint him of High Treaſon*; and that Mr. *Walpole*, Mr. *Cowper*, Mr. *Comptroller*, Sir *Joſeph Jekyll*, and Mr. *Sollicitor General*, do prepare and bring in the

Bill to ſummon and attaint Henry *V.* Bolingbroke.

the ſame. The next † Day, the Commons having receiv'd the like Meſſage from the Lords, in relation to the Duke of *Ormonde*, *a Bill to ſummon and attaint* His Grace in like manner, was alſo order'd to be brought in, by Mr. Secretary *Stanhope*, Mr. *Comptroller*, Sir *Joſeph Jekyll*, and Mr. *Solliciter General*. By the 18th of *Auguſt* thoſe two Bills had paſs'd through both Houſes, and on the 20th receiv'd the Royal Aſſent. The *Act* againſt the Lord *Bolingbroke* is as follows:

† Aug. 10th. *Bill to ſummon and attaint* James D *of* Ormonde.

An Act for the Attainder *of* Henry *Viſcount* Bolingbroke *of* High Treaſon, *unleſs he ſhall render himſelf to Juſtice by a Day certain therein mentioned.*

Bill of Attainder *againſt the L.* Bolingbroke.

'WHereas *Henry* Viſcount *Bolingbroke* has 'been impeach'd by the Commons in 'Parliament aſſembled, in the Name of themſelves and all the Commons of *Great Britain*, of 'High Treaſon, and other High Crimes and 'Miſdemeanors; to which ſaid Impeachment 'now remaining upon Record in the Houſe of 'Peers, the ſaid *Henry* Viſcount *Bolingbroke* has 'not anſwer'd, but has withdrawn himſelf from 'Juſtice, without abiding his legal Trial: Be it 'enacted by the King's Moſt Excellent Majeſty, 'by and with the Conſent and Advice of the 'Lords Spiritual and Temporal, and Commons 'in this preſent Parliament aſſembled, That if 'the ſaid *Henry* Viſcount *Bolingbroke* ſhall not 'render himſelf to the Uſher of the *Black Rod* 'attending the Houſe of Peers, or the Conſtable or Lieutenant of the *Tower* of *London*, for 'the Time being (who are hereby required to 'receive and keep him in ſafe Cuſtody) in order 'to his Trial in Parliament, at or before the 'Tenth Day of *September* next enſuing, and alſo 'abide his legal Trial for the Treaſons, High 'Crimes, and Miſdemeanors, whereof he 'ſtands impeach'd by the Commons of *Great Britain*, then the ſaid *Henry* Viſc. *Bolingbroke*,

'not rendering himſelf, or not abiding his legal 'Trial, as aforeſaid, ſhall, from and after the 'ſaid Tenth Day of *September*, ſtand and be ad-'judg'd attainted of High Treaſon, to all Intent 'and Purpoſes whatſoever, and ſhall ſuffer and 'forfeit as a Perſon attainted of High Trea-'ſon by the Laws of the Land, ought to ſuffer 'and forfeit.

And of the D. of Ormond. The Act for the ATTAINDER of *James* Duke of *Ormonde* was exactly the ſame, the Name only excepted.

Report of the Committee of Secrecy about Mr. T. Harley. On the 19th of *Auguſt* Mr. *Walpole* reported from the Committee of Secrecy, 'That the ſaid 'Committee having, purſuant to the Orders and 'Powers given to them by this Houſe, proceed-'ed to examine *Thomas Harley*, Eſq; (who was 'ſworn by ſuch Members of the ſaid Committee, 'as are Juſtices of Peace for the County of '*Middleſex* and City of *Weſtminſter*,) And the 'Committee conceiving that the ſaid Mr. *Harley* 'had very much prevaricated in his Examination, 'the ſaid Committee had directed, That ſome 'Extracts of Letters relating to the ſaid Mr. '*Harley* (which gave Occaſion to the ſaid Exami-'nation) and likewiſe a Copy of the Depoſition 'of Mr. *Harley*, ſhould be laid before the 'Houſe; which he read in his Place, and after-'wards delivered in at the Table, where the ſame 'were read, as follows:

Extract of a Letter from Mr. St. John *to the Lords Plenipotentiaries at* Utrecht, *the 16th of* February 1711 12.

THOUGH I have a great deal more to ſay, in order to explain clearly to Your Lordſhips the preſent Situation of the Queen's Domeſtick Affairs, and the Meaſures which ſhe propoſes Your Lordſhips ſhould purſue towards effecting your great Work, under all the Difficulties which are thrown in the Way, than can be contained in the Compaſs of a reaſonable Letter; yet

yet I ſhould by this Meſſenger have enter'd into all that Detail, had not the Reſolution been taken of finally inſtructing Mr. *Harley* on *Monday*, in the view of diſpatching him on *Tueſday*.

It were to be wiſhed, that this Gentleman could have been ſooner ſent both to *Utrecht* and to *Hanover*; but the Hurry which we have been for ſome time in is inexpreſſible, and he was too uſeful to be ſpared, till the Houſe of Commons was perfectly ſecured to the Queen's Intereſt, and to the Meaſures of Peace. I think I may ſay they are abſolutely ſo now.

Your Lordſhips will have this Matter fully opened to you by Mr. *Harley*.

Extract of a Letter from the Lords Plenipotentiaries to Mr. Secretary St. John, *the 5th of* March 1712, N. S.

YOur Favour of the 16th paſt, under your own Hand, gives us Hopes of ſeeing Mr. *Harley* here very ſoon, and of receiving by him ſuch Orders as may enable us to fix on ſomething more certain than hitherto we could do.

Extract of a Letter from Mr. Secretary St. John *to the Lords Plenipotentiaries, the 4th of* March 1711-12.

I Find Your Lordſhips, in the Private Letter of the Fifth of this Month, which you honour'd me with by *Couchman*, under ſome Impatience for the Arrival of Mr. *Harley*. And I am very far from wond'ring at you for it, ſince, in your preſent Situation, you run the riſque of having the Game taken out of your Hands by others, and are in no ſort able to play it on your ſelves.

This evil Circumſtance will now be very ſoon cured. Mr. *Harley* goes away to morrow, and Your Lordſhips will be much better informed of the Queen's Intentions by what he will have the Honour to ſay to you, than you could poſſibly have been by ten Reams of written Inſtructions.

Extract of a Letter from Mr. St. John *to Monſieur* de Torcy, *Secretary of State to the* French *King, the Fourth of* March 1711-12, *O. S.*

I Should be aſhamed, Sir, to have ſo long deferred anſwering your Letters, if I did not believe I was able to alledge in my Juſtification a good Reaſon, and which you will not diſapprove. In a Word, I was willing to write to you with Certainty, and for that end I was obliged to ſtay till the Miniſters of the Emperor and of the Republick of *Holland* had more openly ſhewn their Game, till the neceſſary Diſpoſitions were made among our People: and in ſhort, till the Queen had taken the only Reſolution which could bring us, in a little Time, to a good and ſolid Peace.

I have now the Satisfaction to tell you, That this Reſolution is taken, and that Mr. *Harley* will ſet out, this Evening or to-morrow-morning, with the Final Inſtructions of the Queen to her Plenipotentiaries.

You will give me Leave to refer my ſelf to the Sieur *Gaultier* to explain to you more at large the Subject of this Gentleman's Commiſſion, and what the Queen hopes His *Moſt Chriſtian Majeſty* will do to co-operate with her.

Extract of a Letter from Mr. St. John *to the Lords Plenipotentiaries, the Twenty Sixth of* March 1712.

MR. *Harley* is, I make no Doubt, long before this, with Your Lordſhips, and I hope he has fully explained the Queen's Deſires and Views to you, at leaſt he is amply inſtructed in them as I am able to inform him. The Conduct of this Matter is in ſo good Hands, that I am hopeful an Anſwerable Event may be expected.

Extract of a Letter from the Lords Plenipotentiaries to Mr. St. John, *the 6th of* April, 1712.

MR. *Harley* has been here theſe Three Days, and Yeſterday Mr. *G------r* came to ſee us, having arrived the Night before.

Extract

Extract of a Letter from the Lords Plenipotentiaries to Mr. St. John, *the 8th of* April 1712.

OUR laſt of the 6th acquainted you, that ſome People had been diſappointed that Day in their Expectations of breaking this Congreſs, which we hope may be carried on, and produce the good Effects intended.

That Evening, after we had received ample Informations from Mr. *Harley*, and alſo ſpoken with Mr. *Gaultier*, we had a long Conference with the *French* Plenipotentiaries upon the Project that was ſent you the 22d, whereof we again incloſed a Copy, with ſuch Remarks as, after all we could urge, the *French* Miniſters inſiſted on.

The 15 *per Cent*, they will by no means allow to extend to other Goods, than ſuch as come into *Spain* in order to be tranſported into *America*.

Mr. *Harley* thinks it may be requiſite to let fall that whole Pretenſion, and ſettle Commerce on the Foot it ſtood in the Time of King *Charles* the Second of *Spain*; and that the only Uſe we need make of the Fifteen *per Cent.* is to get ſomething for it another way, which we ſhall be glad to hear from you, for in that Caſe our Work with the *Dutch* will become a good deal eaſier.

Copy of the Examination of *Thomas Harley* Eſq; taken before the Right Honourable *Hugh Boſcawen*, Eſq; Comptroller of His Majeſty's Houſhold, and one of his Majeſty's Juſtices of the Peace for the County of *Middleſex*, at the Committee of Secrecy.

THE Examinant ſaith, That when he firſt was ſent abroad in or about March 1711-12, *he was ſent by the Queen's expreſs Commands, who was pleaſed to ſpeak Her ſelf very particularly to him: That her Majeſty ordered the Secretary of State to make ſuch Powers as were neceſſary to be given to him, but would make it eaſy to him, and*

without

without any Formality: That Directions were given for full Powers, which this Examinant left in the Office, where he thought they would be most safe: That he never received any Powers, nor ever saw them, but at his own Choice went abroad without Powers: That the Queen ordered that this Examinant should have an Account of the State of Affairs, to be communicated by him to such Persons as he was to discourse with abroad: That he received from several Offices several Papers relating to the Revenue, and other Matters touching the then Situation of Affairs, from which the Queen was pleased to order him to inform himself as well as he could, that he might be able to explain himself when he went; and, in particular, when he came to the Hague, *he was to give the Pensionary an Account of the State of Affairs, and to use the best Arguments he could to hasten the Peace; but he does not know whether he has any of those Papers now by him, and does not remember that he had any particular Instructions for himself, except from those Papers, but what he received from the Queen's own Mouth, the Particulars whereof he cannot at present charge his Memory with, except as above-mentioned: That he did not produce at the* Hague, *or at* Utrecht, *any Credential Letters from the Queen or any of Her Ministers: That he had no Orders to transact or negociate any thing relating to the Peace with any Foreign Minister; and that he did not transact or negotiate any thing relating to the Peace with any Foreign Minister; That he did not, to his Knowledge, carry over any Plan, Project, or Scheme of a Peace; and that he did not transact any thing at* Utrecht *with Abbot* Gaultier, *nor confer with him either there or before he went from* England: *That he does not remember he had any Orders from the Queen, or any of Her Ministers, relating to the Fifteen* per Cent. *and that he doth not remember that he did signify any Orders to the Queen's Plenipotentiaries concerning it; and that he does not remember any*

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thing at all about the Fifteen per Cent. *That he ſtaid in* Holland *till he had the Queen's Order to go forward, ſignified by the Secretary of State: That he received ſeveral Letters whilſt he was abroad, but from whom in particular he cannot remember; and that he wrote ſeveral Letters, but to whom he cannot remember; and that he doth not know that he has eithe Copies or Originals of any Letters that he either wrote or received: That he had no ſettled Allowance or Appointment, but at his firſt going over the firſt time he ſpent his own Money, which the Queen was afterwards pleaſed to order ſhould be allowed him: That the firſt time he went abroad he received under Three Thouſand Pounds, and in both Journies together he received in all about Five Thouſand Five Hundred Pounds; and that what he received the Queen ordered for his Expences and the Trouble he had been at: That no Body negociated any Money for him upon the publick Account but Mr.* Decker, *and that he does not remember that he had any publick Money but for his own Expence, which did not in the whole exceed the Sum of Five Thouſand Five Hundred Pounds.*

Jurat 21 Junii 1715.

Coram me *T. Harley.*

Hugh Boſcawen.

Mr. Thomas Harley *committed to the* Gate-Houſe.

After the Reading of this Report, the Commons *order'd*, firſt, 'That *Thomas Harley*, Eſq; 'now in Cuſtody of the Serjeant at Arms attending this Houſe, having prevaricated when 'he was examined at the Committee of Secrecy, (purſuant to the Order of the 15th of '*June* laſt) be committed Priſoner to the Priſon 'of the *Gate-Houſe*, and that Mr. *Speaker* do 'iſſue his Warrants accordingly, 2*dly*, That 'the *Report* from the *Committee of Secrecy* relating to the Examination of *Thomas Harley* 'Eſq; be printed.

On *Wedneſday* the 31*ſt* of *Auguſt*, Mr. *Walpole* (from the Committee of Secrecy,) acquainted the Houſe of Commons, that the Committee had in

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Obedience to the commands of the Houſe, prepared Articles of Impeachment of *High Crimes and Miſdemeanours* againſt *Thomas* Earl of *Strafford*; which he read in his Place, and afterwards deliver'd in at the Table, where they were read. Then it was *order'd*, That the ſaid Articles be read a Second Time, Article by Article, which being done accordingly, the ſaid Articles were ſeverally agreed unto by the Houſe; and *order'd*, 1ſt, That the ſaid Articles be ingroſſed; 2*dly*, 'That a Clauſe be prepared, 'ſaving Liberty to the Commons, to exhibit 'any further Articles againſt the ſaid *Thomas* 'Earl of *Strafford*, and that he may be put to 'anſwer the ſaid Crimes and Miſdemeanours.

Articles againſt the E. of Strafford, *order'd to be ingroſſed*, Aug. 31ſt.

The next day, being the 1ſt of *September*, the ſaid Clauſe was offer'd to the Houſe, read, agreed to, and order'd to be ingroſſed with the Articles of Impeachment; which being done accordingly, the ſaid Ingroſſed *Articles of Impeachment of High Crimes and Miſdemeanours againſt* Thomas *Earl of* Strafford, were read, and *order'd*, Firſt, 'That Mr. *Aiſlaby* do carry 'the ſaid Articles to the Lords; 2*dly*, That 'Mr. *Aiſlaby*, before he exhibit the ſaid Arti-'cles, do, at the Bar of the Houſe of Lords, 'impeach the ſaid *Thomas* Earl of *Strafford* of 'High Crimes and Miſdemeanors:" Which Mr. *Aiſlaby*, accompanied by many Members, did immediately; and deliver'd to, and left with the Lords the *Articles of Impeachment* againſt the ſaid Earl, which are as follows:

The Earl of Strafford *impeach'd.* Aug. 1ſt.

Articles of Impeachment of High Crimes and Miſdemeanours againſt Thomas *Earl of* Strafford.

WHEREAS His late Majeſty King *William* the third, of Ever Glorious Memory, Out of his Great Wiſdom and tender regard for his own Kingdoms, and the *Proteſtant* Succeſſion, and to vindicate the Honour of the Crown and Nation, then affronted by *France*, in

n Proclaiming the *Pretender*, King of *Great Britain*, after the *French* King, had but lately before acknowledged his Majesty's Title to the same, as well as a just Concern, for the Preservation of the Liberties of *Europe*, against the Growing Power of *France*, which was then become more formidable from the Duke of *Anjou*'s having taken Possession of the Entire *Spanish* Monarchy, did, upon the Advice and Request of both Houses of Parliament, in or about the Month of *September* 1701, enter into, make, and conclude a Treaty with *Leopold* Emperor of *Germany* and the States General of the United Provinces, wherein a strict Conjunction and Alliance amongst themselves being thought necessary for repelling the Greatness of the common Danger, it was, among other things, agreed, That there should be and continue between the said Confederates, a Constant, Perpetual, and Inviolable Friendship and Correspondence, and that each Party should be obliged to promote the Advantages of the other, and prevent all Inconvenientes and Dangers that might happen to them, as far as lay in their Power.

That the said Allies desiring nothing more earnestly than the Peace and general Quiet of all *Europe*, had adjudged that nothing could be more effectual for the Establishment thereof than the procuring an Equitable and Reasonable Satisfaction to His Imperial Majesty, for his Pretensions to the *Spanish* Succession, and that the King of *Great Britain* and the States General might obtain a particular and sufficient Security for their Kingdoms, Provinces, and Dominions, and for the Navigation and Commerce of their Subjects, That it should not be permitted to either Party, when the War is once begun, to treat of Peace with the Enemy, unless jointly, and by a Communication of Councils, and no Peace should be made, unless an Equitable and Reasonable Satisfaction for His Imperial Majesty, and a particular Security for the Kingdoms, Provinces, Dominions, Navigation, and Commerce of His Majesty of *Great Britain* and the States General, be first obtained, and unless Care be taken, by fitting Security, that the Kingdoms of *France* and *Spain* shall never come and be united under the same Government, nor that one and the same Person shall be King of both Kingdoms.

And whereas His said Late Majesty King *William*, and the States General, seriously considering that *France* was then become so formidable, from the Accession of *Spain* to the Duke

of *Anjou*, that, in the Opinion of all the World, *Europe* was in danger of loſing her Liberty, and undergoing the heavy Yoke of Univerſal Monarchy, and that the ſureſt Means of effecting that Deſign were to divide the King of *Great Britain* from the States General, for which purpoſe all imaginable Efforts would be made, they therefore thought it neceſſary to unite, in the ſtricteſt manner that was poſſible, and, to that end, a Defenſive Treaty and Alliance was concluded and entred into between them, in or about *November* 1701, wherein, amongſt other things, it was further agreed, That by the Alliance with the Emperor, made in *September* then laſt, particular Care had been taken for the Recovery of the *Spaniſh* Low Countries, out of the Hands of the *Moſt Chriſtian* King, the ſaid Confederates expreſly engaged to aid one another with all their Forces, for the Recovery of the ſame; and in regard the principal Intereſt of the ſaid Confederates conſiſted in the Preſervation of the Liberties of *Europe*, that the beforemention'd Treaty with the Emperor ſhall be faithfully and ſincerely executed, and both Sides ſhall guarantee the ſame, and uſe their Endeavours to confirm and render it more ſtrong, from Time to Time.

That in making Peace particular Care ſhall be taken of the Commerce and Traffick of both Nations, and alſo, for their Security, as well in regard to the Low Countries as the Countries adjacent, *That when the War is begun, the Confederates ſhall act in concert, according to the 7th and 8th Articles of the Treaty of the 3d of* March 1667-8, *between* England *and* Holland, *which was thereby renewed and confirmed, and no Peace nor Truce, or Suſpenſion of Arms, ſhall be negotiated or made, but according to the 9th and 10th Articles of that Treaty by which it was agreed, That when the Two Allies came once to an open War, it ſhall be lawful for neither of them afterwards to come to any Ceſſation of Arms with him who ſhall be declared and proclaimed an Enemy, without it be done conjointly and with common Conſent, that no Negotiation of Peace ſhall be ſet on foot by one of the Allies, without the Concurrence of the other, and that each Ally ſhall continually and from Time to Time impart to the other every thing that ſhall paſs in the ſaid Negotiation, and ſhall ſtipulate with the common Enemy for the ſame Rights, Immunities, Exemptions, and Prerogatives, for his Ally, as he ſhould do for himſelf, if ſo be the ſaid Allies do not agree to the contrary.*

And

And whereas the *French* King, having got Poſſeſſion of a great Part of the *Spaniſh* Dominions, exerciſed an abſolute Authority over that Monarchy, having ſeized *Milan* and the *Spaniſh* Low Countries, by his Armies, and made himſelf Maſter of *Cadiz* and of the Entrance into the Mediterranean and of the *Spaniſh Weſt Indies*, by his Fleets, every where deſigning to invade the Liberties of *Europe*, and to obſtruct the Freedom of Navigation and Commerce; and inſtead of giving the Satisfaction that was juſtly expected, had proceeded to further Violences and Indignities; and having influenced *Spain* to acknowledge the *Pretender*, and thereby to concur with him in the ſaid Affront; Her Late Sacred Majeſty Queen *Anne*, taking notice that ſhe found her ſelf obliged, for maintaining the Publick Faith, for vindicating the Honour of the Crown, and to prevent the Miſchiefs which all *Europe* were threaten'd with, to declare a War againſt *France* and *Spain*, did accordingly, in the Month of *May* 1702, in the moſt publick and ſolemn manner, proclaim the ſame, as His Imperial Majeſty and the States General did likewiſe do, in or about the ſaid Month of *May*, in purſuance of the beforementioned Treaties.

And whereas many Kings, Princes, and States of *Europe* being invited by the ſaid Grand Alliance, and relying on the Faith thereof, did afterwards become Parties to the ſaid Confederate War againſt *France* and *Spain*, and in the Treaty enter'd into, in or about the Month of *May* 1703, between His Imperial Majeſty, the Queen of *Great Britain*, the States General, and the King of *Portugal*, it was, among other things, expreſly ſtipulated, That no Peace nor Truce ſhall be made, but by the mutual Conſent of all the Confederates, nor ſhall at any Time be made, whilſt the Second Grandſon of the *Moſt Chriſtian* King, by the *Dauphin*, or any other Prince of the Line of *France*, continued in *Spain*.

And whereas, to give the greateſt Strength that was poſſible, to the Union ſo neceſſary to Both Nations, Her Late Majeſty and the States, by a Treaty, in the Month of *June* 1703 renewed and confirmed, all Treaties and Alliances then ſubſiſting between them; and to the end a juſt and reaſonable Peace might the better be obtained, that might eſtabliſh the Repoſe and Tranquility of *Europe*, it was agreed, That neither of the ſaid Allies ſhould make a Suſpenſion of Arms,

or a Peace with *France* or *Spain*, but in Conjunction and by common Conſent.

And whereas the ſaid War was, for ſeveral Years, carried on with Vigour and Unanimity, at a vaſt Expence of Blood and Treaſure, for the Support of which, on the part of *Great Britain*, many Millions were granted by Parliaments who on many Occaſions expreſſed their Senſe of the Juſtice of it, and frequently gave their humble Advice to the Throne, That no Peace could be ſafe, honourable, or laſting, ſo long as *Spain* and the *Weſt Indies* continued in any Branch of the Houſe of *Bourbon*.

And whereas the juſt Cauſe of Her Majeſty and her Allies, in Defence of the Common Liberty, and in Vindication of the Honour of the Crown of *Great Britain*, was favoured by the Divine Providence with unparalell'd Succeſſes and ſignal Victories, whereby, as well as by the Wiſdom and Unanimity of their Councils, the Reputation of the Confederate Arms was highly advanced, and *Great Britain* was eſteemed the Guardian of the Liberties of *Europe*.

And whereas, from the proſperous Condition of the Affairs of the Allies, nothing remained, in all humane Appearance, but that they ſhould reap the Fruits of all their Victories in a Speedy, Juſt, Honourable, and Laſting Peace; and on the other hand, nothing was left to raiſe the Hopes of the Enemy, whereby to defeat that happy Proſpect, but his ſecret Endeavours to diſunite the Confederacy.

And whereas divers evil-minded Perſons, Enemies to the true Intereſt of their own Country, as well as to the common Liberties and Welfare of *Europe*, having, by many wicked Arts and baſe Inſinuations, obtained Acceſs to Her Late Majeſty Queen *Anne*, and being admitted into her Council, and into Places of the higheſt Truſt, and having formed a wicked and treacherous Correſpondence with the Emiſſaries of *France*, and ſet on foot a private and deſtructive Negotiation of Peace, thereby intending to weaken and diſſolve the Confederacy, which had ſo long and happily ſubſiſted between Her Majeſty and her good and faithful Allies, to the Honour and Safety of the Nation, had prevailed upon Her ſaid Late Majeſty, for that purpoſe, to declare her Reſolution of ent'ring into a Treaty of Peace with the common Enemy, againſt the Conſent and Opinion of all Her Majeſty's Allies, and alſo to appoint *John*, then Lord Biſhop of

Briſtol

Briſtol, and *Thomas* Earl of *Strafford*, her Plenipotentiaries, to tranſact the ſame at *Utrecht*.

And whereas Her Sacred Majeſty, in purſuance of the Treaties ſhe ſtood engaged in, and of her Declaration in the Month of *April* 1711, to the Grand Penſionary and the other Miniſters of *Holland*, being ſtill determined, in making Peace as in making War, to act in perfect Concert with her Allies, and, in Conjunction with them, to demand and procure from *France* a Juſt Satisfaction for all their Pretenſions, according to and in Performance of the many ſolemn Treaties and Alliances then ſubſiſting between Her Majeſty and them, did, in purſuance thereof, by her Inſtructions under the Sign Manual, dated the 21ſt of *October* 1711, to him the ſaid *Thomas* Earl of *Strafford*, her Ambaſſador Extraordinary and Plenipotentiary to the States General, direct him, that during the Courſe of the then intended Negotiation of Peace, it muſt be the moſt careful Endeavour and the fixed Principle of all the Confederates, to hold faſt together, in order to obtain from the Enemy the utmoſt which could be hoped for in the preſent Circumſtances of Affairs; and that he might aſſure the Confederates that Her Majeſty, on her part, would firmly adhere to that Rule, and that ſhe was ſo far from making Peace without the Concurrence of the States General that ſhe had declared her firm Reſolution not to make it without their Satisfaction.

And alſo by her Inſtructions under the Sign Manual to the then Biſhop of *Briſtol* and him the ſaid *Thomas* Earl of *Strafford*, her Plenipotentiaries, to treat of a Good and General Peace, Her ſaid Majeſty, amongſt other things, did direct them, upon their Arrival at *Utrecht*, to concert with the Miniſters of the Allies, in what manner it might be moſt proper to open the Conferences, and what Method to obſerve in the Progreſs of the Treaties; upon that and all other Occaſions earneſtly to repreſent to thoſe Miniſters the great Importance of appearing united, and for that reaſon to recommend to them, that if any Difference or Diſpute ſhould ariſe, the ſame ſhould be accommodated amongſt themſelves, that *France* might have no Hold to break in upon them, but, on the contrary, whenever they meet the Enemy's Miniſters in the Congreſs, every Opinion that is delivered, and every Inſtance that is made, may be backed by the concurrent Force of the whole Confederacy.

That

That if it ſhould be thought proper to begin by the diſpoſition of the *Spaniſh* Monarchy, they were to Inſiſt, that the Security and reaſonable Satisfaction, which the Allies expected, and which his moſt *Chriſtian* Majeſty had promiſed, could not be obtain'd, if *Spain*, and the *Weſt-Indies*, be allotted to any Branch of the Houſe of *Bourbon*. Notwithſtanding all which Premiſſes.

ARTICLE I.

He the ſaid *Thomas*, Earl of *Strafford*, being of her Majeſties Privy Council and her Ambaſſador Extraordinary to the States General, and appointed one of her Plenipotentiaries to treat with the Miniſters of *France*, of a good and General Peace, in Concert with the Miniſters of her Majeſties Allies, who for that purpoſe were aſſembled at *Utrecht* with thoſe of *France*, with full Powers to tranſact the ſame, having no regard to the true ends of his ſaid Commiſſions and Powers, to the Honour or Safety of her Majeſty or her Kingdoms, to the many Solemn Engagements ſhe was under, to the Old and Faithful Allies of this Nation, or to the Common Liberties of *Europe*, but being devoted to the Intereſt and Service of the *French* King, the then Common Enemy, in defiance of the Tenour of the ſeveral Treaties beforementioned, or ſome of them, as well as of the frequent Advices of Parliament, and the many Declarations of her Majeſty from the Throne, but more particularly in defiance of the Solemn and mutual Aſſurances, which had been ſo lately renewed, between her Majeſty, and the States General, to act in perfect Concert with each other, in making Peace, as in making War; and of the ſeveral Inſtructions, from her Majeſty, under the Sign Manual to him the ſaid Earl, in purſuance thereof, was not only wanting in his Duty and Truſt to her Majeſty, by not adviſing againſt, and as far as was in his Power, by not oppoſing the going into any private Separate Negotiation with *France*, but on the contrary, when a Separate, Diſhonourable, and Deſtructive Negotiation of Peace, was entred into, between the Miniſters of *Great Britain*, and *France*, without any Communication thereof to her Majeſties Allies, according to their ſeveral Treaties, he the ſaid Earl, did not only take upon himſelf, and preſume from time to time, to adviſe and Exhort, that the ſame ſhould be Continued and Carried on, but did likewiſe frequently Concert Private and Separate Meaſures, with

with the Miniſters of *France*, in Order to impoſe upon, and deceive her Majeſties good Subjects, and her Allies, and was Inſtrumental in promoting the ſaid Separate Negotiation, Excluſive of all the Allies, and to their manifeſt Prejudice and Detriment.

And further, he the ſaid Earl, when the Miniſters of *France* at *Utrecht*, refuſed to anſwer in writing, and on many other Occaſions proceeded in a falacious and unjuſtifiable manner, in tranſacting the Negotiations of Peace, was not only wanting in his Duty, in not repreſenting to her Majeſty and her Miniſters, againſt the ſame, and in not Supporting, in the manner he ought to have done, her Majeſties Good Allies, in their reaſonable demands from *France*, but on the contrary, commended the *French* Prudence, in taking ſuch Meaſures, and even Suggeſted himſelf the Methods for *France*, to make uſe of, to create Diſſentions amongſt the Allies, and Separate Negotiations between each of the Allies and *France*, thereby to diſſolve the whole Confederacy.

By which Wicked and Treacherous Practices, he the ſaid Earl, Proſtituted the Honour, of her Majeſty and the Imperial Crown of theſe Realms; and groſly violated his Powers and Inſtructions, the many Treaties, which her Majeſty then ſtood engaged in to her Allies, and the repeated Aſſurances, which the ſaid Earl had, by her Majeſties Order, and in her Name, given to the ſaid Allies, to act in perfect Concert with them, throughout the whole Negotiation of Peace, thereby rendring the deſign of the Confederacy, and the mutual ſupport expected from the ſame, altogether uſeleſs, and giving up the Affairs of *Europe*, into the hands of *France*.

ARTICLE II.

Whereas the maintaining a perfect Union, and good Correſpondence between her late Majeſty, and the Illuſtrious Houſe of *Hanover*, was of the utmoſt Importance for preſerving to theſe Kingdoms, the invaluable Bleſſings of their Religion, and Civil Liberties, by ſecuring the Succeſſion to the Crown to a Race of *Proteſtant* Princes, ever renowned for their Great Juſtice and Clemency, and thereby defeating the Traterous Deſigns of the Pretender, and for that purpoſe, the Great Wiſdom of divers Parliaments, which had

fixed

fixed and confirmed the ſaid Succeſſion, had alſo laid the Obligation of an Oath upon the Subjects of theſe Realms to ſupport and maintain the ſame, to the utmoſt of their Power.

He the ſaid *Thomas* Earl of *Strafford*, not regarding the many ill Conſequences to her Majeſty and theſe Kingdoms which would naturally enſue from a Diſunion, or Coolneſs of affection, between Princes ſo nearly Allyed in Blood and Intereſt, inſtead of doing what in him lay to prevent the ſame, did, on the contrary, in his Letters from *Holland*, to her Majeſties Miniſters of State in *Great Britain*, by divers falſe Repreſentations, and Scurrilous Reflections, upon his preſent moſt Gracious Majeſty, then Elector of *Hanover*, endeavour to alienate her Majeſty's Affections, from his ſaid Electoral Highneſs, and to Create, or Widen fatal Differences or Miſunderſtandings, between them. And when by the Wicked and pernicious Advice of him, the ſaid *Thomas* Earl of *Strafford*, and divers other Evil Counſellors, her late Majeſty, was at laſt prevailed upon, to make a fatal Ceſſation of Arms, with the then Common Enemy, without any concert with his ſaid Electoral Highneſs, and againſt the conſent, and contrary to the moſt Earneſt Repreſentations of all her Allies, for the Execution of which, he the ſaid Earl, was ſent over to the Army in the *Netherlands*, where the Generals of the Auxiliaries paid by her Majeſty, whoſe Honour and Conſciences would not permit them to abandon the Confederates, and leave them as a Sacrifice to *France*, refuſed to withdraw with the Duke of *Ormond*, without particular Orders, from their reſpective Maſters, which Proceedings of the Confederate Generals, being wickedly repreſented by the ſaid Evil Councellors in Conjunction with the Miniſters and Emiſſaries of *France*, as an Indignity offered to her Sacred Majeſty.

He the ſaid *Thomas* Earl of *Strafford*, to create Uneaſineſs and Diſſention between her late Majeſty, and his then Electoral Highneſs, did by his Letter, on or about the 17th of *July*, 1712. to her Majeſties then Secretary of State, Maliciouſly and Wickedly Suggeſt, and affirm, that the ſaid Separation of the Confederate Generals, from the Duke of *Ormonde*, ought to be Imputed to his ſaid Electoral Highneſs.

And

And further he the ſaid Earl, by frequently affirming, and ſometimes in the moſt ſolemn manner, to the Miniſters of His ſaid Electoral Highneſs, as well as others, the moſt notorious and manifeſt Untruths, contrary to the Intentions and Intereſts of Her Majeſty, and vainly intending thereby to deceive and impoſe upon His ſaid Electoral Highneſs and the reſt of Her Majeſty's good and faithful Allies, in Matters of the higheſt Importance, and particularly, by ſolemnly affirming, on or about the 16th of *July* 1712, to Monſieur *Buleau*, General of the *Hanover* Forces, and the reſt of the Confederate Generals, that Her Majeſty had made no Truce with *France*, whereas he the ſaid Earl then well knew the ſame was made and concluded ſeveral Weeks before, did thereby, as well as by the beforementioned Proceedings, not only proſtitute and diſhonour the high Characters he was then inveſted with, but, as far as in him lay, did diſſolve the mutual Confidence and good Underſtanding ſo neceſſary to be maintained between Her ſaid Late Majeſty and the Illuſtrious Houſe of *Hanover*, for the Safety and Proſperity of *Great Britain*, and the common Liberty of *Europe*.

ARTICLE III.

Whereas in the pernicious Negotiations of Peace carried on by him the ſaid Earl and other evil Counſellors, with the Miniſters of *France*, the *French* King had propoſed to acknowledge Her Majeſty's Title to the Crown of theſe Realms, and the *Proteſtant* Succeſſion in the Illuſtrious Houſe of *Hanover*, when the Peace ſhould be ſigned between *Great Britain* and *France*, and not before: Whereupon the Houſe of Lords, by an humble Addreſs to Her Majeſty, on the 15th of *February* 1711, begg'd Leave to repreſent their juſt Indignation at that diſhonourable Treatment of Her Majeſty, as alſo their utmoſt Reſentment at the Terms of Peace offered to Her Majeſty and her Allies by the Plenipotentiaries of *France*, for which Addreſſes Her Majeſty was pleaſed to return them her hearty Thanks, for the Zeal they had therein expreſſed for her Honour.

He, the ſaid Earl, was not only wanting in his Duty to Her Majeſty and Zeal for the *Proteſtant* Succeſſion, in not adviſing Her Majeſty againſt treating with *France* upon ſuch diſhonourable Terms, but did himſelf, with other evil Counſellors, privately, wickedly, and treacherouſly, concert and

agree with the Miniſters of *France*, that the ſaid Propoſals, ſo derogatory to the Dignity of Her Majeſty, and dangerous to theſe Kingdoms, ſhould be the Conditions upon which *France* would agree to treat of a Peace with *Great Britain*.

And further he the ſaid Earl, in Contempt and Defiance of the Judgment of the Houſe of Peers, which had received Her Majeſty's gracious Approbation, and acting the Part of an Emiſſary of *France* inſtead of a Plenipotentiary of *Great Britain*, being thereunto encouraged, and founding his Preſumption on a Letter to the then ſaid Biſhop of *Briſtol* and him the ſaid Earl, from *Henry St. John* Eſq; then Principal Secretary of State, on the 16th of *February* 1711, the next Day after the ſaid Addreſs of the Houſe of Peers was made, and informing them of the Indignation expreſſed in *Great Britain* at the Offers of *France*; but that by the Management of Mr. *Thomas Harley* (then Secretary of the Treaſury) the Houſe of Commons was perfectly and abſolutely ſecured to the Meaſures of Peace; did wickedly, deceitfully, and perfidiouſly concert and agree with the Miniſters of *France* at *Utrecht*, that the ſaid *French* Miniſters ſhould write a colluſive Letter to him the ſaid Earl, and the then ſaid Biſhop of *Briſtol*, wherein Her Majeſty ſhould be ſtyled Queen of *Great Britain*; which Letter was not to be made any uſe of at *Utrecht*, or taken as an Acknowledgment by *France* of Her Majeſty's Title to the Crown, but was agreed to be tranſmitted to *Great Britain*, thereby to deceive and impoſe upon Her Majeſty and the Parliament, as if *France* had then actually acknowledged the ſame; which ſaid Letter was accordingly written by the Miniſters of *France*, and tranſmitted to *Great Britain* by him the ſaid Earl.

Whereby Her Majeſty, the Parliament, and the whole Nation, were moſt groſly and ſcandalouſly abuſed and drawn into the ſaid deſtructive Meaſures of Peace, to the great Diſhonour of Her Majeſty and theſe Kingdoms, and to the apparent Danger of the *Proteſtant* Succeſſion.

ARTICLE IV.

That he the ſaid *Thomas* Earl of *Strafford*, in Defiance of the many Treaties between Her Majeſty and her Allies, for the Recovery of the Monarchy of *Spain* to the Houſe of *Auſtria*, thereby to preſerve a Due Ballance of Power in *Europe*; and in Contempt of the Advice and Opinion of Parliament,

liament, That no Peace could be ſafe, honourable, or laſting, ſo long as *Spain* and the *Weſt Indies* continued in any Branch of the Houſe of *Bourbon*; and alſo in direct Violation of Her Majeſty's Inſtructions of the 23d of *December* 1711, in purſuance thereof; whereby he the ſaid Earl was expreſly commanded to inſiſt, in the Conferences of Peace with the Miniſters of *France*, that the Security and Reaſonable Satisfaction which the Allies expected, and which His *Moſt Chriſtian* Majeſty had promiſed to grant, could not be obtained if *Spain* and the *Weſt Indies* be allotted to any Branch of that Houſe, did not only pre[illegible]e to treat about the Peace with the Miniſters of *France*, without inſiſting, as he ought to have done, that *Spain* and the *Weſt Indies* ſhould not be allotted to the ſaid Houſe of *Bourbon*, but alſo when the Miniſters of His Imperial Majeſty and of the King of *Portugal*, in Conformity to the mutual Obligations and Treaties between Her Majeſty and them, and, with each other, demanded of *France*, that *Spain* and the *Weſt Indies* ſhould be reſtored to the Houſe of *Auſtria*, and requeſted him the ſaid Earl to join with them to ſtrengthen that Demand, did decline and refuſe to do the ſame.

By which perfidious and unwarrantable Practices of him the ſaid *Thomas* Earl of *Strafford*, incurable Jealouſies and Diſcords were created between Her Majeſty and her Allies; that mutual Confidence which had ſo long and ſo ſucceſsfully been cultivated between them, and which was ſo neceſſary for their common Safety, was abſolutely diſſolved; the juſt Ballance of Power in *Europe* was wickedly betrayed; and apparent Advantages were given to the common Enemy, to impoſe what Terms of Peace he ſhould think fit, upon Her Majeſty and the whole Confederacy.

ARTICLE V.

Whereas Her Late Majeſty, on the 7th of *December* 1711, having earneſtly recommended from the Throne, That Proviſion might be made for an early Campaign, in order to carry on the War with Vigour, and as the beſt Way to render the Treaty of Peace effectual; and accordingly Supplies were granted and Magazines provided, at a great Expence; and in purſuance thereof, Her Majeſty having given early Aſſurances to her Allies of her ſincere Intentions, and likewiſe expreſly inſtructed her General the Duke of *Ormonde*, not only to re-

new the ſame Aſſurances, and declare her Reſolution o puſhing on the War with the utmoſt Vigour, but to concert with the Generals of the Allies the proper Meaſures for entring upon Action; which Aſſurances were accordingly given by the ſaid Duke, and the Confederate Army was thereupou ordered to be aſſembled, which at that Time was the Strongeſt that had been in the Service during the whole Courſe of the War, and greatly ſuperior to that of the Enemy.

Notwithſtanding which Premiſes he the ſaid *Thomas* Earl of *Strafford*, then of Her Majeſty's Priv[illegible] Council, being informed of the reaſonable Proſpect which, by the Bleſſing of God, the Army of the Confederates then had, of gaining new Conqueſts over the Army of *France*, in order to diſappoint the Expectations of the Allies, and to give Succeſs to the ſecret and wicked Negotiations then carrying on by himſelf and other evil Counſellors, with the Miniſters of *France*, on divers very Falſe and Groundleſs Suggeſtions and Allegations, and in Violation of many Treaties then ſubſiſting between Her Majeſty and the States General, as well as ſeveral other Princes, at ſeveral Times, and particularly by his Letter of the 30th of *April* 1712, to *Henry* Viſcount *Bolingbroke*, then *Henry St. John* Eſq; one of Her Majeſty's Principal Secretaries of State, did wickedly and treacherouſly ſuggeſt and adviſe, That a Ceſſation of Arms ſhould be made with *France* by Her Majeſty, without and even againſt the Conſent of her good Allies and Confederates.

In purſuance of which wicked Counſels and Advices, Directions were afterwards privately ſent, in Her Majeſty's Name, to the Duke of *Ormonde* in *Flanders*, to avoid engaging in any Siege, or hazarding a Battel, till further Orders, although nothing had been then ſettled in the ſaid private Negotiation, for the Intereſt and Security of *Great Britain*.

And further he the ſaid *Thomas* Earl of *Strafford*, at that Time alſo of Her Majeſty's Privy Council, did adviſe Her Late Majeſty that he himſelf ſhould be ſent, and accordingly he was afterwards ſent from *England* to the Army under the Duke of *Ormonde* in *Flanders*, with Directions, in Her Majeſty's Name, to cauſe a Ceſſation of Arms to be made and proclaimed between Her Majeſty's and the *French* Army, and a Separation to be made by the Troops of *Great Britain*, from

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the Confederate Army, which were accordingly performed and executed, by the advice and direction of him the ſaid E. without the Conſent, and contrary to the earneſt Repreſentations of her Majeſties Confederates, and in open Violation and Defiance of the many Treaties then Subſiſting, between her Majeſty, and her Good and Faithful Allies.

By which wicked and perfidious Counſels, and Practices of him, the ſaid *Thomas* Earl of *Strafford*, the Progreſs of the Victorious Arms of the Confederates was ſtopped, and a moſt favourable Opportunity loſt, for Conquering the Enemy, all hopes of Confidence between her Majeſty, and her Allies were entirely deſtroyed, and the *French* King made Abſolute Maſter of the Negotiations of Peace.

ARTICLE VI.

That he the ſaid *Thomas* Earl of *Strafford*, having in concert with other falſe and Evil Counſellors, Wickedly adviſed and procured the ſaid fatal Ceſſation of Arms, and likewiſe obtained for *France*, the Separation of the Troops of *Great Britrin*, from the Confederate Army, in further Execution of his Treacherous purpoſes, to advance and promote the Intereſts of *France*, and being determined, as far as in him lay, not only to render all future Correſpondence, and good Harmony, beween her Majeſty and the States General, utterly Impracticable, but deſigning by all poſſible means, to weaken and diſtreſs the ſaid States, in Order to bring them under an abſolute neceſſity, of complying and ſubmitting to the meaſures of *France*, and well knowing, that taking Poſſeſſion of *Ghent* and *Brughes*, was the readieſt means of Effecting the ſame, did wickedly and treacherouſly adviſe, that a Party of the Queen's Troops, ſhou'd be ſent to March through ſome of the Towns belonging to the States General, in hopes, that the Commanders of the ſaid Towns, incens'd by ſuch unjuſt and unneceſſary Provocations, and through the Apprehenſions of the ill Conſequences, that ſuch Attempts and Proceedings might ſubject them to, would be induced to refuſe them admittance, and thereby give a pretence, for putting in Execution, the perfidious Deſigns and Reſolutions, which had been concerted by him the ſaid Earl, and other evil Councellors, with the Miniſters of *France*, in purſuance of which wicked Advice, a Party of her Majeſties Troops, was accordingly ſent with Orders to

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march through ſome of the Fortified Towns, belonging to the States General, and on pretence of their being denied Paſſage through the ſame, the ſaid Treacherous and Deſtructive deſign, was immediately put in Execution, and *Ghent* and *Bruges*, were ſeized upon by the Troops of *Great Britain*, whereby all means of Communication, between *Holland* and the Confederate Army being entirely cut off, or put into the hands of thoſe, who had ſo lately and ſhamefully betray'd the common Cauſe, apparent Advantages and Encouragement were given to the *French* Army, and her Majeſty's good and Faithful Allies, were deterred from forming, or proſecuting any Deſigns againſt the Common Enemy, ſince the ſame could not be put in Execution without their Knowledge and Conſent, who on many Occaſions, had given the moſt evident Proofs of their Diſaffection to the Confederates, and of their firm Adherence to the Intereſts of *France*.

All which Crimes and Miſdemeanours were committed, and done by him the ſaid Earl, againſt our late Sovereign Lady the Queen, her Crown and Dignity, the Peace and Intereſt of this Kingdom, and in Breach of the ſeveral Truſts repoſed in him, the ſaid Earl.

And he the ſaid Earl of *Strafford*, was of Her late Majeſties Privy Council, her Ambaſſador Extraordinary to the States General, and one of Her Plenipotentiaries, to Treat of a good and General Peace with *France*, during the time that all and every the Crimes before ſet forth were done and committed.

And the ſaid Knights, Citizens, and Burgeſſes by Proteſtation ſaving to themſelves the Liberty to exhibit at any time hereafter, any other Accuſations or Impeachments againſt the ſaid *Thomas* Earl of *Strafford*, and alſo of replying to the Anſwers, that the ſaid *Thomas* Earl of *Strafford*, ſhall make unto the ſaid Articles, or any of them, or of Offering Proof of the Premiſſes, or any other Impeachments or Accuſations; that ſhall be Exhibited by them, as the Caſe ſhall (according to the Courſe of Parliament) require: Do pray that the ſaid *Thomas* Earl of *Strafford*, be put to anſwer the ſaid Crimes and Miſdemeanours, and receive ſuch Condign Puniſhment, as the ſame ſhall deſerve. And that ſuch Proceedings Examinations, Tryals and Judgments, may be upon every of them, had and uſed, as are agreeable to Law and Juſtice.

THESE Articles, having been read in the Houſe of Peers, the Earl of *Strafford*, made a long Speech, wherein among other things, He complain'd of the Hardſhip that had been put upon him, by ſeizing his Papers, in an unprecedented manner. *Debate in the Houſe of Lds. thereupon.*

'That he deſign'd to have 'drawn up and printed an Account of all his 'Negotiations, whereby, he did not doubt, he 'would have made it appear, to all the World, 'that he had done nothing but in Diſcharge of 'his Duty, and of the Truſt repoſed in him. 'That if, either in his Letters or Diſcourſes, 'while he had the Honour to repreſent the Crown 'of *Great Britain*, he had dropt any unguarded Expreſſions, againſt ſome Foreign Miniſters, he hoped the ſame would not be accounted a Crime by a *Britiſh* Houſe of Peers. 'Concluding with deſiring, that a competent 'Time be allow'd him to anſwer the Articles 'now brought againſt him; and that he might 'have Duplicates of all the Papers, that either 'had been laid before the Committee of *Secrecy*, or were ſtill in the Hands of the 'Government, which might be for his Juſtification. The Lord Viſcount *Townſhend*; in particular, ſaid, 'That his Complaint about 'the taking his Papers from him, was altogether groundleſs and unjuſt: That infinite Inſtances of the like Proceeding might be produced; That no State could be ſafe without 'it; and, in ſhort, that extraordinary Caſes 'juſtify extraordinary Methods. As to the 'Earl of *Strafford*'s demand, to have Duplicates 'of all the Papers that had been laid before 'the Commons, he (the Lord *Townſhend*) 'thought it unreaſonable, and made with no other Deſign than to gain Time; and make the 'Commons loſe the Opportunity of bringing 'him to his Trial. That thoſe Papers were ſo 'voluminous (conſiſting of 13 or 14 Volumes *in Folio*

'*Folio*) that they could not be copied out in ma-
'ny Weeks; and as the Earl might have had Ac
'ceſs to them, ever ſince they were laid before
'the Parliament, ſo he was ſtill at Liberty to
'peruſe them, and extract out of them what he
'thought proper for his own Defence.' The Duke of *Devonſhire* and the Lord Chancellor *Cowper* back'd the Lord *Townſhend*; and, on the contrary, the Late Lord Chancellor *Harcourt*, and the Biſhop of *Rocheſter*, ſpoke for the Earl of *Strafford*: But what availed the Latter moſt was ſaid by the Earl of *Ila*, who repreſented, 'That in all Civilized Nations, all Courts of 'Judicature, except the *Inquiſition*, allow'd the 'Perſons arraign'd all that was neceſſary for 'their Juſtification; and that the Houſe of Peers 'of *Great Britain* ought not, in this Caſe, to 'do any thing contrary to that Honour and Equi-'ty, for which they are ſo juſtly renowned 'throughout all *Europe*.' Hereupon it was reſolv'd, That the Earl of *Strafford* ſhould have 'Copies of all ſuch Papers as were in the Secre-'tary's, and other Offices, which he ſhould 'think proper for his Defence; that he ſhould 'have free Acceſs to the Papers that had been laid 'before the Commons; and that a Month's Time 'be allow'd him, to anſwer the Articles of Im-'peachment againſt him.

It was expected, That the Earl of *Oxford* would, on the 23d of *Auguſt*, have given in his Anſwer to the Articles exhibited againſt him; but, on that Day, a Petition from the ſaid Earl, praying for a longer Time, being preſented to Their Lordſhips, they were pleaſed to agree to give him till that Day Sevennight, and order'd that he ſhould then attend at their Bar in Perſon, and deliver in his Anſwer. But on the 30th of *Auguſt*, having petition'd for a longer Delay, Their Lordſhips granted him till *Saturday* the 3d

of

of *September*, when the Earl of *Oxford* cauſed the following Anſwer to be deliver'd to the Houſe of Lords:

The Earl of Oxford's *ANSWER to the Articles of Impeachment againſt him.*

The ANSWER *of* Robert *Earl of* Oxford *and Earl* Mortimer, *to the Articles exhibited by the Knights, Citizens, and Burgeſſes in Parliament aſſembled, in the Name of themſelves, and of all the Commons of* Great Britain, *in Maintenance of their Impeachment againſt him for High Treaſon, and other High Crimes and Miſdemeanors, ſuppoſed to have been by him committed.*

THE ſaid Earl ſaving to himſelf all Advantages of Exception to the ſaid Articles, and of not being prejudiced by any Words, or Want of Form, in this his Anſwer; and alſo ſaving to himſelf all Rights and Privileges belonging to him, as one of the Peers of this Realm, for Anſwer to the ſaid Articles, ſaith, *He admits many ſolemn Treaties and Alliances have been formerly enter'd into, between the Crown of* England, *and other Princes and Potentates of* Europe, *for their mutual Security, and to prevent the immoderate Growth of the Power of* France, *which might prove dangerous to the Neighbouring Princes and States:* And that it was therefore laid down as a fundamental Principle and Maxim of Union amongſt the Allies, *That* France *and* Spain *ſhould never come and be united under the ſame Government, and that one and the ſame Perſon ſhould not be King of Both thoſe Kingdoms*: And he apprehends, that the Principal View and Aim of the Allies was to ſettle and maintain an equal Ballance of Power in *Europe*; and ſince the Conjunction of *Spain* to the Dominions of *France* might poſſibly enſue, from the Duke of *Anjou*'s being poſſeſſed of that Crown, the Diſpoſſeſſing him was deſir'd, as the moſt likely Means to prevent that Conjunction; and, for the ſame Reaſon, the Union of *Spain* with the *Empire* muſt have been

equally fatal, and the Prevention of it equally the Deſign of the Alliance; nor could the Continuance of *Spain* in the Houſe of *Bourbon* be, in any reſpect, prejudicial to the Allies. if the Union of that Crown with *France* could be prevented As new Dangers of ſuch Union have been apprehended, new Treaties and Stipulations have been enter'd into amongſt the Allies, to obviate ſuch Dangers, and particularly the Treaty for an Intended Partition ſeems to have been concluded upon that View: And tho' he acknowledges the Wiſdom of Parliament in condemning that Treaty, as prejudicial and fatal, in its Conſequences, to *England* and the Peace of *Europe*; yet he preſumes it was not condemn'd, becauſe Part of the Dominions of the Crown of *Spain* were thereby allotted to the Houſe of *Bourbon*, but becauſe ſuch conſiderable Parts of thoſe Dominions, as the Kingdoms of *Naples* and *Sicily*, the Province of *Guipuſcoa*, and other Territories, were allotted to that Branch of the Houſe of *Bourbon*, to whom the Crown of *France* was to deſcend; which might have been a great and dangerous Addition to the then formidable Strength of that Crown, and becauſe it was made againſt the repeated Remonſtrances of *Charles* II. then King of *Spain*, who declar'd by his Ambaſſador, *That ſuch Partition-Treaty could have no other Effect than to force* Spain *to throw it ſelf into the Arms of* France, *to prevent the Diſmembering of the* Spaniſh *Monarchy:* And that it had this Conſequence appear'd upon the Death of that Prince, who ſeems to have been induced, by that Conſideration, to bequeath the Entire Monarchy of *Spain* to the Duke of *Anjou*, a younger Branch of the Houſe of *Bourbon*, who accordingly, upon the Demiſe of the ſaid King *Charles* II. took Poſſeſſion of the Monarchy of *Spain*. But this Acceſſion of the Duke of *Anjou* to the Crown of *Spain* did not produce the Alliance in the Article mention'd between *Leopold* then Emperor of *Germany*, His Late Majeſty King *William* III. of Ever-glorious Memory, and the States General, as immediately neceſſary at that Juncture; for King *William*, as well as the States General, acknowledg'd the D. of *Anjou* as King of *Spain*, thereby allowing that the Duke of *Anjou*'s Enjoyment of the Monarchy of *Spain*, while he was but a Younger Branch of the Houſe of *Bourbon*, was not deſtructive of the Liberties of *Europe*, or the Preſervation of a due Ballance of Power. And afterwards, when the *French* King

King had ſeiz'd the *Spaniſh Netherlands*, King *William*, by Advice of Parliament, came into the Aſſiſtance of the States as Auxiliary only, by ſending, upon their Requeſt, Ten Thouſand Men, which *England* was obliged by Treaties to furniſh, in caſe the States were attack'd; after which many Conferences paſſed at the *Hague*, betwixt the Miniſters of *England* and the States, and thoſe of *France*, in order to find out ſome Expedient, by which, upon a Reaſonable Diviſion of the Dominions of *Spain*, a new War might be prevented: And the States, in the Courſe of thoſe Conferences, often aſſerted, *That tho' they had acknowledg'd* Philip *King of* Spain, *yet ſuch an Acknowledgment was not contrary to the Demand of a Reaſonable Satisfaction to be given to the Emperor, for his Pretenſions to the* Spaniſh *Succeſſion:* Which was in Effect to declare, *That the Satisfaction demanded for the Emperor was ſuch as would leave King* Philip *in Poſſeſſion of* Spain. But theſe Conferences broke off about *Auguſt* 1701, without Effect, and, in *September* following, King *William* enter'd into the Grand Alliance with the Emperor and the States General, whereby it was agreed, *That, in the firſt place, Endeavours ſhould be uſed, by Amicable Means to obtain the Satisfaction deſir'd for the Emperor*, who probably, at that Time, would have accepted a very Eaſy Compoſition for his Pretenſions: But when the *French* King acknowledged the *Pretender* as King of *England*, which not long after happened, His Majeſty King *William*, and the Parliament of *England*, juſtly provoked by this Affront, reſolv'd to enter into the War which had been begun by the Emperor alone, in *Italy*, the Year before. And the late Queen mentions this Indignity as the Chief Motive of her engaging in it, as appears by her Declaration of War againſt *France* and *Spain*, in *May* 1702.

The ſaid Earl admits the ſeveral Treaties ſet forth in the Preamble to the ſaid Articles, and that ſuch Advice was given by Parliament, and ſuch Speeches were made from the Throne, as in the ſaid Preamble are mentioned; but, for more Certainty, begs Leave to refer himſelf to the very Treaties, Addreſſes of Parliament, and Speeches, when they ſhall be produc'd: And he humbly hopes Your Lordſhips will allow him to obſerve, that thoſe Treaties manifeſtly ſhew, that the Deſign of the Allies, in endeavouring the Recovery of *Spain* from the Houſe of *Bourbon*, was to prevent the

the Union of thoſe two potent Kingdoms, in one and the ſame Perſon. In the Grand Alliance 1701, the avow'd Ends thereof are, The procuring an Equitable and Reaſonable Satisfaction to His Imperial Majeſty for his Pretenſion to the *Spaniſh* Succeſſion, the Security of the Dominions of the King of *Great Britain* and States General, with the Navigation and Commerce of their Subjects; the Preventing the Union of *France* and *Spain* under the ſame Government: And the Territories and Provinces pointed out in the Fifth Article, were the furtheſt Views of that Alliance; whereby it was thought His Imperial Majeſty would receive the utmoſt Satisfaction which he could reaſonably demand, for his Pretenſion to the *Spaniſh* Succeſſion. No Mention is made of the Recovery of the Whole Monarchy of *Spain* to the Houſe of *Auſtria*, either in the Grand Alliance, or in the Defenſive One made the ſame Year, between His Majeſty King *William* and the States General: And when, in the Treaty between the Emperor, the Queen of *Great Britain*, and the States General, on the one Part, and the King of *Portugal* on the other, about *May* 1703, it was concerted to place Arch-duke *Charles*, the preſent Emperor, upon the Throne of *Spain*, he was then but a Younger Branch of the Houſe of *Auſtria*; and there is great Reaſon to believe, that the Queen, as well as other Princes of *Europe*, and in particular the King of *Portugal*, did not think a Treaty to procure the Crown of *Spain* for the Arch-duke, when a Younger Branch of the Houſe of *Auſtria*, did lay any Obligation of procuring that Monarchy for him, when he became Firſt of that Houſe, and was elected Emperor; ſince the Imperial and Hereditary Dominions, join'd to the Whole *Spaniſh* Monarchy, would have given ſuch Exceſs of Power to one Prince, as would have been formidable to *Europe*, and a Means to deſtroy that Ballance of Power which Her Majeſty, in all her Treaties, had conſtantly labour'd to preſerve; and it is a known and an allow'd Rule, by the Law of Nations, in reference to Leagues between Princes, That if there happens a Material Change in what was the Principal Ground and Cauſe of the Treaty, the Obligation thereof ceaſes. If therefore in the Preliminary Articles in 1709, and afterwards in the Conferences at *Gertruydenberg*, a Ceſſion of the *Spaniſh* Monarchy to King *Charles* III. who was then Younger Brother to the Emperor,

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was thought reaſonable to be inſiſted on; yet the ſaid Earl humbly ſubmits to Your Lordſhips great Judgments, whether there was equal Reaſon for inſiſting on ſuch Ceſſion, when K. *Charles* III. was become Head of that Houſe, and had Poſſeſſion of the Empire and all the Hereditary Countries of *Auſtria*, as a Condition without which no Peace ſhould be made. The States General were ſo far from admitting or yielding that the Monarchy of *Spain* ſhould, in all Events, be given to the Houſe of *Auſtria*, that he the ſaid Earl hath heard, they refus'd to admit it to be inſerted as a Condition of their Barrier-Treaty, when propos'd by Her Majeſty's Ambaſſador at the *Hague*, and choſe rather to put a ſtop to the Proceedings of that Treaty, and hazard the Advantages they thereby expected, than comply with that Propoſal. The Advice of Parliament is of great Weight, to which Her Late Majeſty always gave, and the ſaid Earl always paid, a juſt Regard, and he doubts not but the Houſe of Peers had proper Inducements when they gave their Advice to the Throne, *That no Peace would be ſafe, honourable, or laſting, ſo long as the Kingdom of* Spain *and the* Weſt Indies *continued in the Poſſeſſion of any Branch of the Houſe of* Bourbon: But if he may be permitted to offer his humble Conjecture of the Motives of that Advice, he conceives it might proceed from an Apprehenſion of a future Union of thoſe Two Crowns, as likely to enſue, in caſe *Spain* ſhould continue in the Poſſeſſion of any who might become Heir to the Crown of *France*, and that even the Conjunction of the Empire and *Spain* would be leſs dangerous than ſuch an Union. But when Her Majeſty communicated to her Parliament, the 6th of *June* 1712, the Terms upon which a Peace might be made, and thereby inform'd them, *That* France *had been brought to offer, that the Duke of* Anjou *ſhould, for himſelf and his Deſcendants, renounce for ever all Claim to the Crown of* France; *and that, at the ſame Time, the Succeſſion to the Crown of* France *was to be declared, after the Death of the then Dauphin and his Sons, to be in the Duke of* Berry *and his Sons, in the Duke of* Orleans *and his Sons, and ſo on to the reſt of the Houſe of* Bourbon; *and that the Succeſſion to* Spain *and the* Weſt Indies, *after the Duke of* Anjou *and his Children, was to deſcend to ſuch Prince as ſhould be agreed upon at the Treaty of Peace, for ever excluding the reſt*

of the Houſe of Bourbon; both Houſes of Parliament, by their reſpective Addreſſes to her Majeſty, in the ſame Month, expreſs'd their entire Satisfaction: And as the Houſe of Commons deſir'd her Majeſty *to proceed in the Negotiations then depending for obtaining a ſpeedy Peace*; ſo the Houſe of Lords aſſur'd her Majeſty, *That they entirely rely'd on her Majeſty's Wiſdom to finiſh that Great and Good Work.* And after her Majeſty had concluded a Peace on thoſe Terms, both Houſes of Parliament, ſeverally, congratulated her Majeſty on the concluſion of the Peace; and alſo join'd in an Addreſs of the 22d of *April* 1714, expreſſing their *juſt Senſe of her Majeſty's Goodneſs to her People, in Delivering them by a Safe, Honourable, and Advantageous Peace with* France *and* Spain, *from the heavy Burthen of a Conſuming Land War, Unequally carry'd on, and become at laſt Impracticable.*

He the ſaid Earl acknowledges, that Her Majeſty was pleas'd about *Auguſt* 1710, to re-admit him, among others, to a Place in Her Council, and to require his Services in Offices of Truſt; to which he ſubmitted purely in Obedience to Her Majeſties Commands, with great Reluctance, from the Proſpect of the Difficulties with which he was likely to ſtruggle. But as he never ask'd any Employment, nor us'd any wicked Arts, or baſe Inſinuations, to obtain the ſame from Her Majeſty; ſo in all Employments with which her Majeſty was pleas'd to Honour him, he ſincerely endeavour'd to diſcharge his Duty with the utmoſt Integrity; having always with the trueſt Zeal deſir'd and endeavour'd, as far as he could, to promote the Honour and Service of her Majeſty, whoſe Aim he knew to be the Welfare of her Kingdoms in the firſt place, and as far as She judged it conſiſtent with that, the common Good of her Allies.

In or about the Month of *September* 1710, Her Majeſty (whoſe undoubted Prerogative it was) thought fit to Diſſolve the Parliament then in being, and call a new One. In the Year 1711. Propoſitions were made by *France* to her Majeſty for a Peace, without the Contrivance, or previous Knowledge of the ſaid Earl: Her Majeſty, out of her Affection for her People, having it much at her Heart to eſtabliſh Peace in her own Days, expreſs'd Her Concern for the Diſappointment of former Negotiations, and Her earneſt

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Deſire to put a ſpeedy End to the War, and to the Effuſion of Chriſtian Blood, and to eaſe Her Subjects from the Heavy Burthen of their Taxes; the ſaid Earl doth acknowledge, that he thought a Peace was very much for the Intereſt and Advantage of *Great Britain*: And in his humble Opinion, the moſt favourable Juncture for obtaining advantageous Terms of Peace, was immediately after the ſignal Victories, gained by Her Majeſties Arms, in the Year 1706. For after the Reduction of the Dominions of the Electors of *Bavaria* and *Cologne*, with other important Conqueſts in *Germany*: After the intire Deſtruction of the Three Great Armies of *France*, in *Flanders Spain* and *Piedmont*: After the Allies had recover'd the *Spaniſh Netherlands*, *Milan* and other Territories in *Italy*, it might have been hoped, from the great Diſtreſs in which the Enemy then was, a juſt and reaſonable Peace would have been obtained, ſince ſo much was at that time gained from the Enemy, and ſo much more, in all probability, would have been yielded by them, as would have fully anſwer'd the Ends of the Grand Alliance. Peace was at that time ſought by the Enemy; and the ſaid Earl, who had the Honour to be then one of her Majeſties Principal Secretaries of State, owns he then adviſed the accepting of it. And he humbly begs leave to obſerve, That the War had been continued upon ſo unequal a Foot, that the Burthen of it Annually encreas'd, and at the time when theſe Propoſals were made by *France*, was become almoſt inſupportable. It had indeed been ſtipulated by the Grand Alliance, *That the Allies ſhould aſſiſt one another with all their Forces, according to a Specification to be agreed on in a particular Convention for that Purpoſe*: But it doth not appear any ſuch Convention was made, otherwiſe than as the Houſe of Commons were inform'd by one of the Principal Secretaries of State to his late Majeſty King *William*, *That by the Proportion adjuſted with the States*, England *was to furniſh Two Parts of Five by Land, and the States the other Three*; *and* England *was to furniſh Five Parts of Eight by Sea, and the States the other Three*; But the States not always allowing themſelves to be under an Obligation to furniſh ſuch Proportions, gave occaſion to *England*'s bearing an unequal Part in the War, with reſpect to the Allies. The States had that prudent Regard to the frugal ordering their Affairs, that they frequently inſiſted

ſiſted, they ought not to be preſſed beyond their Ability, and made themſelves the ſole Judges of what came within the compaſs of it, and by that means avoided the ſupplying any Quota, or Proportion, which they thought improper for them to furniſh. In the mean time the Charge of the War was greatly encreaſed upon the Subjects of *Great Britain*. In the Year 1702 it was under Four Millions, from thence it gradually increas'd till 1706, the Charge of which Year amounted to above Five Millions and a half, and ſtill advancing till the Year 1711, it was then grown to near Seven Millions, and at the ſame time there was a Debt contracted, not provided for by Parliament, amounting to Seven or Eight Millions; the very Intereſt of which, and other Debts, wherein the Nations was involved, amounted to Three Millions *per Annum* and the Revenues of *Great Britain* were under ſuch Anticipations, that it was found difficult to raiſe above Two Millions and an half for the growing Service, to be paid within the compaſs of the Year. So that when the Duties and Difficulties upon Trade, and the continuance of the Taxes upon Land, which had lain ſo heavy above Twenty Years, are conſider'd, the ſaid Earl believes it could not be thought for the publick Intereſt to prolong the War, without an abſolute Neceſſity.

During this time the States had manag'd with ſo good Oeconomy, that the ſaid Earl had not heard of any additional Duty laid by them upon Trade from the Year 1702 to the Year 1711. What Acquiſitions were made upon the Continent, during the Continuance of the War, tho' at the Expence of *Britiſh* Blood and Treaſure, accrued to the Share of the Allies; and the *Dutch* being under no Prohibition of Commerce with *France*, had a farther Advantage of the *Britiſh* Merchants, in reſpect to a free Trade. Altho' the Princes of the Empire were engaged by previous Treaties to furniſh their Quota's to the common Cauſe, yet when they were often preſſed to do it, they alledg'd in Excuſe, *That thoſe Troops which they were obliged to furniſh at their own Expence, were in the Pay of the Crown of* Great Britain. The Emperor left it to her Majeſty to provide for thoſe Troops, which by the *Portugal* Treaty, in the Year 1703. he was to furniſh The King of *Portugal* not only neglected the Proportion of 12,000 Foot and 3,000 Horſe, which by the ſaid Treaty he

was to provide at his own Expence, but even refuſed to permit the 11,000 Foot and 2000 Horſe, for which he had a Subſidy from her Majeſty to be paid by Muſters, according to an Article of that Treaty; and when preſſed to furniſh his full Number of Troops, alledged his Inability, for want of that part of the Subſidies which the States ought to have paid him. So that almoſt the whole Charge of the War in *Spain* was left upon Her Majeſty, the States having ſent few or no Troops thither after the Battle of *Almanza*; and all the other Allies being likewiſe defective in their Proportions.

This was the Condition of Affairs, with reſpect to the Charge of the War, nor did their appear from the then Situation of Affairs, any more promiſing Proſpect, with regard to the Event; For altho' it had pleaſed God to bleſs Her Majeſty's Arms with wonderful Succeſs, at which the ſaid Earl moſt ſincerely rejoiced, yet it did not appear, that after the Year 1706, our Succeſſes in other Parts had countervail'd our Loſſes in *Spain*; for after two great Battles, wherein we had been there defeated, after our Forces had been twice obliged to retire from *Madrid*, and after the taking the *Britiſh* Troops at *Brihuega*, the Recovery of *Spain*, (which was the main Article that retarded the Concluſion of the Peace at *Gertrudenberg*) ſeem'd almoſt deſperate, eſpecially ſince the *French* in the Year 1711. by their plentiful Vintage and Harveſt, had well nigh recover'd the Effects of the Famine; and ſince ſome of the Allies at the ſame time made preſſing Inſtances for recalling part of the Troops, as they had done frequently, during the Courſe of the War; from whence it appears how juſt the Grounds were, upon which both Houſes of Parliament repreſented to her Majeſty, *That the War had been unequally carry'd on, and was at laſt become impracticable.* And the ſaid Earl humbly hopes he ſhall not be thought to have deſign'd any Diſſervice to his Country, if in ſuch Condition of Affairs he did not diſſwade Her Majeſty from hearkening to the Overtures of Peace, made to her from *France*; or if during ſuch Negotiations, he endeavour'd, by Correſponding, with her Majeſty's Knowledge and Approbation, in any Courts concern'd therein, to rectifie any miſtakes, or contribute in any Meaſure towards the Concluſion of a General Peace. But the ſaid Earl believes, that in all the Negotiations towards

ſuch Peace, the Allies had ſuch Knowledge and Communication of all the Meaſures therein taken by Her Majeſty, as the Treaties Her Majeſty was engag'd in, requir'd: That the Propoſition tranſmitted from *France*, about *April* 1711, were immediately communicated to the Penſionary and Miniſters of *Holland*. That her Majeſty did at the ſame time aſſure them of her Reſolution, to act in Concert with them, in making Peace as in making War. That when the States had expreſſed their Deſires to be equal with thoſe of *Great Britain*, for a general and laſting Peace, and had declar'd, That they were ready to join in proper Meaſures to procure it, and deſir'd *France* might explain it ſelf more particularly upon the Points contain'd in thoſe Propoſitions; her Majeſty endeavour'd to obtain ſuch Explanations, and afterwards communicated them to the States: And if her Majeſty had thought it not expedient to proceed in the Method of a Preliminary Treaty, which had prov'd ſo ineffectual in the Years 1709 and 1710, but thought it might be ſufficient to have Articles ſign'd by a Miniſter of *France*, by his Sovereign's Command, to open Conferences for a Peace; The ſaid Earl humbly hopes, that this Proceeding, will be ſo far from being an unreaſonable Deviation from the Methods of former Tranſactions in that kind, that it will be juſtify'd by many Precedents of ſuch Treaties. The ſaid Earl can affirm, that during the whole Negotiation, ſo far as he was concern'd, he acted with a ſincere Intention, to obtain a General Peace for the Welfare and Honour of her Majeſty and her Kingdoms, and ſuch as might give *reaſonable Satisfaction* to Her Allies; and anſwer all the Obligations her Majeſty was under, by any Treaties with any of the Confederates; and is not conſcious to himſelf, that he hath in any reſpect tranſgreſſed that Duty, which as a Privy Counſellor, or Officer of State, he did owe to her Majeſty, or to the Publick. He is not inſenſible that many of the Articles, wherewith he ſtands charged, are complicated with ſuch Circumſtances, Aggravations and Inferences, as may render it difficult for him to acknowledge ſome Facts alledg'd, without acknowledging or ſeeming at leaſt to acknowledge thoſe Circumſtances or Inferences. And as he is not conſcious to himſelf of being guilty of any Crime he ſtands charg'd with, ſo he takes it to be agreeable to the

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common Courſe of Proceedings of this Nature, and to your Lordſhip's Juſtice, that he ſhould not admit any Circumſtances, which may tend to the Accuſation of himſelf. He therefore begs leave that he may be allow'd to diſtinguiſh between the Facts themſelves, and the Inferences drawn from them; and that whenever he acknowledges any Fact, he may not be underſtood to acknowledge thoſe Conſequences which are in the Articles deduc'd from it, unleſs it ſhall appear that the Conſequence was the Aim and Deſign of the ſaid Earl, or is the neceſſary Reſult of any Act he hath done.

ARTICLE I.

IN anſwer to the firſt Article, the ſaid Earl ſaith, That he always had the greateſt Regard to the Honour and Safety of her late Majeſty and her Kingdoms, to all the Engagements She was under to the Allies of this Nation, and to the common Liberties of *Europe*; That he never was devoted to the Intereſt or Service of the *French* King; That he is not conſcious to himſelf of having acted, whilſt he had the Honour to be Her late Majeſty's *High-Treaſurer*, or one of Her moſt Honourable Privy Council, contrary to his Oath, or in Violation of his Duty and Truſt, or with Diſregard to, much leſs Defiance of any Treaties in the ſaid Article mentioned, of the Advices of Parliament, Her Majeſty's Declarations from the Throne, or any mutual Aſſurances which had been made or renew'd between her Majeſty and the States, to act in perfect Concert with each other in making Peace as in making War; And he utterly denies, that in or about the Months of *July* or *Auguſt* 1711. or at any other Time he did form any Contrivance or Confederacy to ſet on Foot a private, ſeparate, diſhonourable or deſtructive Negotiation of Peace between *Great Britain* and *France*, nor doth he know of any ſuch Contrivance or Confederacy form'd by any of Her Majeſty's Privy Council, or that ſuch Negotiation was at any time ſet on foot. But the ſaid Earl ſays, He does not believe that about the Month of *April* 1711. her late Majeſty did receive from *France* ſome Propoſals in order to ſet on foot a Treaty for a general Peace, ſign'd by Monſieur *de Torcy*, Secretary of State to the moſt Chriſtian King, which as he believes were immediately communicated by Her Ambaſſador in *Holland* to the States-General: Whereupon

upon, as he has been inform'd, they thanked her Majeſty for her Confidence in them, declar'd themſelves to be weary of the War, and ready to join in any Meaſures her Majeſty ſhould think proper for obtaining a good Peace, and that they hoped Her Majeſty would bring the *French* to explain more particularly the ſeveral Points contain'd in the above-mention'd Propoſals, or to that Effect; and that after ſuch Requeſt Her Majeſty ſent *Matthew Prior*, Eſq; to the Court of *France*, in order to obtain as full and ample an Explanation as he could of the firſt general Offers: But the ſaid Earl denies, that he did adviſe Her Majeſty to ſend the ſaid Mr. *Prior* to the Court of *France*, to make Propoſitions of Peace, without communicating the ſame to Her Allies; or that the ſaid Mr. *Prior* did by his Advice or Privity communicate any Propoſitions to the Miniſters of *France*, wherein the Intereſts of *Great Britain*, or the common Intereſt of *Europe* were betray'd; nor doth the ſaid Earl know, that the ſaid Mr. *Prior* had any Power to communicate Propoſitions to the Miniſters of *France*, which betray'd either the Intereſts of *Great Britain*, or the common Intereſt of *Europe*. Therefore the ſaid Earl inſiſts, that there is no Ground to charge him with the treacherous or pernicious Contrivances in this Article mention'd. And if any Article was inſerted in any Propoſitions to be communicated by the ſaid Mr. *Prior*, that the Secret ſhould be inviolably kept till allow'd to be divulg'd by the mutual Conſent of both Parties, yet the ſaid Earl denies, that ſuch Article was inſerted by his Advice; and if any ſuch there was, he cannot however believe it was deſign'd to exclude her Majeſty's Allies from their juſt Share in the ſaid Negotiations, and hopes he may be allow'd to obſerve, That in caſe any Inſtructions were given for not divulging Propoſitions which concern'd *Great Britain* in particular, the ſame were far from manifeſting ſuch Deſign as is before-mention'd, ſince it is well known to be the undoubted Right of every Member of a Confederacy to demand particular Advantages for themſelves, not inconſiſtent with their Alliances, and which are not to take Place but on the concluſion of a General Peace. And it has been uſual for thoſe to whom the firſt Overtures of Peace are to be made, to make Demands for themſelves in the Firſt Place, as the States particulaaly did in the Negotiations at the *Hague*, in the Year

1709,

1709, and at *Gertruydenberg* in the Year 1710. And tho' he apprehends that an Agreement not to divulge the Propoſitions, without the mutual Conſent of both Parties, could not be to the Prejudice of the Allies; yet he believes, that in order to prevent any unreaſonable Jealouſies among them, even thoſe Propoſitions which related to *Great Britain* in particular, were communicated to them; and that it will likewiſe appear, That the Propoſitions Sign'd by Monſ. *de Torcy*, tranſmitted in the Month of *April* 1711, in the ſaid Articles mentioned, whereby it is ſaid, 'The *French* King offered to 'Treat with the Plenipotentiaries of *England* or *Holland* 'Alone, or Jointly with thoſe of the Allies, at the Choice 'of *England*," were Propoſals relating only to the manner of Treating, when the Conferences ſhould be opened; and that her Majeſty was ſo far from taking upon Her to Treat Singly for the Allies, that ſhe choſe to have all the Parties admitted to the Congreſs, where they might have an opportunity of Treating and Adjuſting their reſpective Intereſts; that being, in her Opinion, the faireſt Method of proceeding, moſt Advantageous to the Confederates, and moſt likely to prevent Jealouſies and Diſcords among them. And the ſaid Earl ſaith, That he does not know that any Negotiations of Peace were Contriv'd, or ſet on Foot, by any Perſons employ'd in her Majeſty's Service, which were in any reſpect more Advantageous to *France*, than *France* had asked, or which had a tendency to give the Enemy a Power to create Miſunderſtandings between her Majeſty and her Allies, or to deſtroy the Confidence between them.

ARTICLE II.

In anſwer to the Second Article, the ſaid Earl ſaith, That he believes Monſieur *Meſnager*, a Subject of the *French* King, did ſometime in the Year 1711. with Her Majeſty's Leave, come into the Kingdom of *Great Britain*, and bring with him a Letter from the ſaid *French* King to Her late Majeſty, acknowledging Her Majeſty Queen of *Great Britain*, and likewiſe expreſſing a deſire to re eſtabliſh Peace with Her, and that he was furniſh'd with full Power from the ſaid *French* King for that purpoſe. The ſaid Earl further ſaith, That it hath been the uſual and allow'd Practice in moſt Nations, eſpecially in *England*, for Privy Counſellors by verbal Orders from the Sovereign to conſer within the Realm with

Miniſters

Miniſters of Foreign Princes, and he conceives ſuch Practice to be agreeable to the Laws of this Realm, and that full Powers are uſually granted to Miniſters who are ſent abroad for the Juſtification of the Perſons with whom they ſhall Treat, rather than to juſtify ſuch Miniſters themſelves; and the ſaid Earl denies, that he did in the Month of *September* 1711. or at any other time ſecretly and unlawfully, or without Authority, confer or treat with the ſaid Sieur *Meſnager* on the Negotiations of Peace between *Great Britain* and *France*, or that he did adviſe or promote the making a private and ſeparate Treaty or Agreement between the ſaid Crowns; but he hath been inform'd, and doth believe, that there was a Paper ſtiled, *The Anſwer to the Preliminary Demands of* Great Britain *more particularly*, Sign'd by Monſieur *Meſnager* only, to which was ſubjoin'd a Declaration of the Queen's Acceptance of thoſe Preliminary Articles, as Conditions his moſt Chriſtian Majeſty conſented to grant, which were to be reduced into the uſual Form of Treaties, and explain'd after the moſt clear and moſt intelligible manner, to the common Satisfaction of *Great Britain* and *France*, and this only in Caſe of a General Peace: And this Declaration or ſome other Declaration to the like Effect, he believes might be ſign'd by the Lord *Dartmouth* and Mr. Secretary *St. John*, as in the ſaid Articles is ſet forth. But the ſaid Earl muſt crave leave to ſubmit it to the Judgment of your Lordſhips, whether a Paper of that ſort (if any ſuch there was) containing Offers from *France*, which were not to take Effect but in caſe of a General Peace, can be called a Seperate Treaty; he believes the Allies had early Knowledge and Participation of the ſaid Propoſals, from the Miniſters of *Great Britain*, but denies that the Intereſt of *Great Britain* were thereby given up to *France*, or the Duke of *Anjou* admitted to be King of *Spain*, ſince in the Declaration annexed to the ſaid Propoſal, he believes it is expreſſed, that Her Majeſty might in Juſtice expect the Securities and Advantages mention'd in thoſe Propoſals, what Prince ſoever he ſhould be to whom the Monarchy of *Spain* ſhould be allotted; and the ſaid Earl, recollecting as well as he can what were Her Majeſty's Views at that Time, is perſuaded that Her Majeſty had then a Proſpect, that the Monarchy of *Spain* would fall to the Share of another Prince. The ſaid

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Earl denies, That by his Privity, Conſent, or Advice, any Private or Separate Treaty or Agreement, whereby the Intereſts of *Great Britain* were given up to *France*, or the Duke of *Anjou* was admitted to be King of *Spain*, was agreed, concluded, or ſign'd, by the ſaid Sieur *Meſnager* on the part of *France*, and by the ſaid Lord *Dartmouth* and *Henry St. John*, or either of them, in behalf of Her Late Majeſty; much leſs did the ſaid Earl, at any Time, aſſume to himſelf Regal Power, or take upon him to meet and treat with the Enemy, without Authority from Her Majeſty, or do any thing to ſubvert the ancient and eſtabliſh'd Conſtitutions of the Government of theſe Kingdoms, or introduce any Illegal or Dangerous Methods of tranſacting the Affairs of State. And the ſaid Earl further ſaith, That he did never aim at, or endeavour, by any ſeparate Treaty, to diſſolve or cancel any of thoſe ſolemn Treaties, in which Her Majeſty ſtood engag'd to her Allies, nor was he privy to any Treaty, whereby the Queen was brought under a Dilemma, either to ſubmit to the Dictates of *France* in the Progreſs of ſuch Negotiation, or to loſe the Confidence of her Allies.

ARTICLE III.

In Anſwer to the Third Article, the ſaid Earl denies, That to diſguiſe or carry on any Private, Separate, or Dangerous Negotiations, he did contrive or adviſe the Preparing and Forming the Set of *General Preliminaries* in the Article mentioned, intitled, *Preliminary Articles on the part of* France, *to come to a General Peace*; or any other Set of *General Preliminaries* of like Nature; or that the ſame ſhould be ſign'd by the Sieur *Meſnager*; or that he did adviſe Her Sacred Majeſty, that the ſame ſhould be receiv'd by Her Majeſty: But the ſaid Earl hath been inform'd, that certain Articles call'd, *Preliminary Articles on the part of* France, *to come to a General Peace*, ſign'd by the Sieur *Meſnager* only, were received by Her Majeſty; and believes the ſame might be communicated to the Miniſters of the Allies then reſiding in *England*, as a Ground whereon the Confederates might treat or negotiate concerning a General Peace; but whether the ſame were communicated as the only Tranſactions that had been on that Subject, between *Great Britain* and *France*, the ſaid Earl knows not: But ſince it is term'd Impious Advice, and contrary to the Duty and Truſt of a Miniſter of *Great Britain*, to adviſe

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the Receiving ſuch Articles; the ſaid Earl, from his Concern for the Honour of Her Late Majeſty's Adminiſtration, and the future Welfare of theſe Kingdoms, doth ſubmit, Whether it is criminal for ſuch Miniſter to adviſe the Receiving Articles from a Miniſter of a Prince in War, containing Propoſals for giving Reaſonable Satisfaction to *Great Britain* and all her Allies, and which being ſign'd by the Miniſter of that Prince only, were not intended to bind any other: And ſince Preliminary Articles are no Eſſential Step towards a General Negotiation, there being, as he believes, but few Inſtances where any Matters of Importance have been ſettled before the Opening of General Conferences. The ſaid Earl does not conceive, That if any Miniſter of State had adviſ'd Her Majeſty to accept the Preliminaries or Offers of *France*, ſaid to be ſign'd by Monſieur *Meſnager* the 27th of *September* 1711, as the Foundation of a Treaty, he had thereby offended againſt any known Law, ſince the Proceedings upon ſuch Preliminaries could not be more unſafe than proceeding without any at all. The ſaid Earl denies, That any Treaty ſign'd by the Earl of *Dartmouth* or Mr. *St. John*, or either of them, on the part of *England*, and the Sieur *Meſnager* on the part of *France* (if any ſuch there be) was induſtriouſly conceal'd from the Allies, Her Majeſty's Council, or Parliament, by his Advice or Contrivance; or that he diſſuaded Her Majeſty from laying any ſuch Treaty before her Allies, her Council, or Parliament; or that he adviſ'd Her Majeſty to receive the ſaid General Preliminaries, or to communicate the ſame in her Name, or by her Authority, to the States General, as a ſufficient Foundation whereon to open the Conferences of Peace with *France*. The ſaid Earl hath been inform'd, and doth believe, That there were certain Inſtructions prepared and ſign'd by Her Majeſty, and deliver'd to the Earl of *Strafford*, Her Majeſty's Ambaſſador to the States General, wherein the ſaid Ambaſſador might be directed to repreſent to the Penſionary of *Holland*, and ſuch others as ſhould be appointed to confer with him in ſuch manner as is ſet forth in this Article, or to the like effect; but he denies that the ſaid Inſtructions were prepar'd, ſign'd, or deliver'd by his Advice: Nevertheleſs the ſaid Earl believes, the ſaid Inſtructions were well warranted by the Truth of ſuch Facts as in the ſaid Article are ſet forth to be contained in thoſe Inſtructions,

ſtructions, ſince the ſaid Earl hath had credible Information, that after Her Majeſty had receiv'd an Account of the Senſe of ſome Perſons in *Holland*, concerning the Overtures made by *France*, for the ſetting a General Negotiation of Peace on Foot, very preſſing Inſtances were made on Her Majeſty's Behalf, with the Enemy, to explain the firſt Offers made by Monſieur *de Torcy*, more particularly, and to form a diſtinct Project of ſuch a Peace as they were willing to conclude: And that ſuch Inſtances had effect, will appear from the Preliminaries, ſaid to be ſign'd by Monſieur *Meſnager*, *September* the 27th 1711, wherein ſeveral Explications are made, and many Particulars of moment are contain'd, which were not in the Propoſitions of Monſieur *de Torcy*; wherefore the ſaid Earl apprehends, that the Propoſitions ſaid in this Article to be ſent over to *France* (if any ſuch were ſent) were not ſo General as the Propoſitions of Monſieur *de Torcy*, nor in any reſpect enſnaring, or deſtructive to the Intereſts of *Great Britain* or the Allies: But yet the ſaid Earl believes that Her Majeſty, at the ſame Time ſhe did communicate the ſaid Preliminaries to the States General, did likewiſe order her Ambaſſador to acquaint them, That ſhe judg'd thoſe Articles did not contain ſuch particular Conceſſions as *France* would probably be oblig'd to make in the Courſe of the Negotiations, or to that effect. If therefore Her Majeſty did, for the Good and Eaſe of her People, endeavour to prevail with her Allies to enter into a Negotiation of Peace, and did communicate the ſaid Preliminaries to them, with that View, the ſaid Earl cannot be induc'd to believe, that the ſaid General Preliminaries, communicated to the States by Her Majeſty in manner aforeſaid, were calculated to amuſe or deceive them; nor doth the ſaid Earl know or believe, that Her Majeſty's Inſtructions to her ſaid Ambaſſador, either in the Particulars aboveſaid, or in any other, contain'd Matters Falſe, Prevaricating, or Evaſive. And the ſaid Earl muſt take the Liberty to affirm, That in the Late Negotiations of Peace, as well as in all other Publick Tranſactions of State, as far as he was concerned, he acted with the higheſt Regard to the Honour of Her Majeſty, and with the utmoſt Zeal for the Welfare both of her and her People, and is not conſcious to himſelf that he ever gave any Counſels, whereby the Truth and Sacredneſs which ought to conſtitute and accompany the

Inſtructions of Publick Ambaſſadors to Princes in Friendſhip and Confederacy, againſt the Common Enemy, were in any wiſe proſtituted, or the Honour of Her Majeſty and of the Imperial Crown of theſe Realms, in any ſort, debas'd or betray'd; and he humbly hopes no Inſtance can be given, wherein the Royal Hand of Her Late Majeſty was made the Inſtrument to advance the Intereſt of the common Enemy.

ARTICLE IV.

In Anſwer to the Fourth Article, the ſaid Earl doth not remember what Repreſentations were made by Mr. *Buys* to Her Majeſty, in relation to the Propoſitions in the ſaid Article mention'd, but ſaith, That if any Repreſentations were made, the ſame wert not render'd ineffectual by any Influence of the ſaid Earl; and the ſaid Earl doth admit, that at a Committee of Council there might be made ſome Declaration in Her Majeſty's Name, to Mr. *Buys*, to the effect in the ſaid Article mention'd, but doth not admit that any ſuch Declaration was made by him the ſaid Earl, or by his Management or Contrivance. And the ſaid Earl believes, that what was ſo declar'd to the ſaid Mr. *Buys* was agreeable to Truth, and to the real Sentiments and Intentions of Her Majeſty, nor doth he know wherein the ſaid Articles ſign'd by Mr. *Meſnager*, and accepted by the Lord *Dartmouth* and Mr. *St. John*, if any ſuch were then ſign'd, were inconſiſtent with ſuch Declaration, or how Her Majeſty was thereby diſhonour'd, or her Allies abus'd, or that any Negotiation enter'd into with *France*, was either dangerous to it ſelf, or fatal in its Conſequences.

ARTICLE V.

In Anſwer to the Fifth Article, the ſaid Earl admits, That Her Majeſty Queen *ANNE* did, in due Form of Law, and under her Great Seal, conſtitute the Right Reverend *John* Lord Biſhop of *Briſtol*, and the Earl of *Strafford*, her Plenipotentiaries, with full Power to meet, treat, and conclude with the Plenipotentiaries of the Confederates, and thoſe whom the *French* King ſhould on his part depute for that Purpoſe, the Conditions of a Good and General Peace, that ſhould be ſafe, honourable, and, as far as was poſſible, agreeable to the reaſonable Demands of all Parties, and believes Inſtructions were prepar'd and deliver'd to them, wherein they were inſtructed, amongſt other things, to the

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effect in the ſaid Article ſet forth; and is firmly perſuaded, that when the ſaid Plenipotentiaries were ſo inſtructed to inſiſt that *Spain* and the *Weſt Indies* ſhould not be allotted to the Houſe of *Bourbon*, no Treaty had been negotiated and agreed, that *Spain* and the *Weſt Indies* ſhould remain in a Branch of that Houſe; and he has reaſon to believe, that at the Time when the ſaid Inſtructions were given to Her Majeſty's ſaid Plenipotentiaries, there was juſt Ground to believe, that King *Philip* would be induc'd to abandon *Spain* and the *Weſt Indies*, and content himſelf with the Dominions of *Savoy*, and the Kingdom of *Sicily*; and he believes he may ſo far depend on his Memory, as to ſay, That he heard the Late Queen declare, *She believed the Proſpect King* Philip *had of ſucceeding to the Crown of* France, *would be an Inducement to him to be eaſy with that Allotment*: And it ſeem'd probable, that the Addition of the Dominions of *Savoy* to the Crown of *France*, in caſe King *Philip* ſhould ſucceed to it, would be eſteem'd by the *French* Court as a thing more to be deſir'd by them, than that *Spain* and the *Indies* ſhould remain in the Poſſeſſion of a Younger Prince of the Houſe of *Bourbon*, under the Condition of his renouncing the Right he would have to the Crown of *France*, if the Eldeſt Branch ſhould fail. Theſe ſeem to him to have been Her Majeſty's Views at the Time when the ſaid Inſtructions were given to the Biſhop of *Briſtol* and the Earl of *Strafford*; and he therefore believes, that whoever contrived or prepared the ſame, did prepare them conformable to Her Majeſty's real Sentiments, and was far from any Thought or Deſign to abuſe the Royal Authority, delude the States General, prejudice His Imperial Majeſty, or any of the Allies, or carry on the Meaſures of *France*; and if King *Philip* afterwards, upon Information that the then *Dauphin* was likely to live, or at the preſſing Inſtances of the *Spaniards*, and Influence of *Spaniſh* Councils, or upon any other Motives, refuſed to accept of *Savoy* and *Sicily*, and choſe rather to renounce the *French* Monarchy; he thinks no Perſon who acts in the Service of the Crown can be ſafe, if it may be charg'd on him as a Crime, that he adviſed Inſtructions, which, by intervening Circumſtances afterwards, became improper. But he the ſaid Earl doth not admit, that he contrived or prepared the ſaid Inſtructions, or was conſenting or adviſing to the Contriving or Preparing of

them, or prevail'd on Her Majeſty to ſign them; much leſs that he abuſed the Royal Authority, to the Deluſion of the States General, or intended the Prejudice of His Imperial Majeſty of any of the Allies, or was engag'd to carry on the Meaſures of *France*, or had, when the ſaid Inſtructions were prepared, negotiated, and agreed with the Miniſters of *France*, that *Spain* and the *Weſt Indies* ſhould remain in a Branch of the Houſe of *Bourbon*, or had prevail'd on Her Majeſty to be Party to any Private Treaty, wherein the ſame was neceſſarily imply'd. If the Plenipotentiaries were inſtructed, that in caſe the Enemy ſhould object, that the Second Article of the Seven, ſign'd by Monſieur *Meſnager*, imply'd the Duke of *Anjou* ſhould continue on the Throne of *Spain*, to inſiſt that thoſe Articles were binding to *France*, but laid neither the Queen nor her Allies under any Obligation, the ſaid Earl does not apprehend how an Inſtruction to Her Majeſty's Plenipotentiaries, to make a Juſt Anſwer to a Falſe Inference, that might happen to be drawn by the Enemy from the Words of ſuch an Article, can be interpreted an Entring into a Confederacy, or Colluſion, with the Miniſters of the Enemy; or that Her Majeſty's Conſent to ſuch Inſtructions could imply any Deſign to impoſe on His Imperial Majeſty or the Allies, or to conceal any Negotiations between *Great Britain* and *France*. But the ſaid Earl is confident it will not appear by any of his Action, on the ſtricteſt Scrutiny, that he ever enter'd into any Confederacy or Colluſion with the Miniſters of the Enemy, or prevail'd on the Queen to give her Conſent thereto, or had any Deſigns to impoſe upon His Imperial Majeſty or any of the Allies, or ever was privy to any Secret Negotiations or Separate Treaty between *Great Britain* and *France*, whereby either in the beforemention'd, or any other Particulars, any Reproach could be brought on the Crown of theſe Realms, or any Treaties wherein Her Majeſty was engag'd to her Allies, were violated.

ARTICLE VI.

In Anſwer to the Sixth Article, the ſaid Earl does admit, That after the Conferences of Peace between the Plenipotentiaries of the Allies, and thoſe of the Enemy, for negotiating a General Peace, were opened, wherein he is perſuaded Her Majeſty and her Miniſters did act in perfect Confidence

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with the Allies, and to promote the Common Intereſt, and to obtain from the Enemy all Juſt and Reaſonable Satisfaction; the Progreſs of the ſaid Negotiation was delay'd by Debates, concerning the Enemy's Refuſal to give their Anſwer in Writing, to the Demands of the Allies; but he doth not know that any of the Miniſters of *Great Britain* did, by any Encouragement or Concurrence, contribute thereunto: And if during that Time, Her Majeſty thought fit to authorize any of her Miniſters to write or negotiate upon Particular Points relating to the Peace, directly from *England* to *France*, in order to facilitate the General Negotiation of Peace, which he the ſaid Earl doth not admit to have been done by his Privity; yet he the ſaid Earl doth not apprehend, that by the Conſtitution of the Kingdom, or any Law in being, the Queen was debarr'd from doing ſo; or that by conſtituting the ſaid Plenipotentiaries, ſhe had ſo far delegated to them her Royal Authority, as to be diſabled, without revoking their Commiſſion, to treat or negotiate any Matters conducing to that End, in ſuch other mannrr as ſhe ſhould think fit. The ſaid Earl ſaith, That he did not adviſe, contrive, or promote any Private, Separate, or Unjuſtifiable Negotiation with *France*, nor doth he know any Negotiation, relating to the Peace, was carry'd on, without Communication thereof to the Allies. And the ſaid Earl denies that he ever aſſum'd Regal Authority, or that he treated of Peace with *France* in any manner that could be liable to ſuch Imputation, or did promote the Deſign of the Enemy, to the Deſtruction of the common Cauſe of Her Majeſty, or of her Allies, contrary to the Laws or Conſtitution of this Kingdom, or in Violation of any of the Alliances Her Majeſty ſtood engag'd in, or of the Aſſurances given by Her Majeſty, or of her Inſtructions to her Plenipotentiaries; or that any Terms of Peace were, by him, at any Time concerted, prejudicial to the Intereſt of Her Majeſty, or her Kingdoms, or Allies, or whereby the Good Effects of the General Negotiation were defeated.

ARTICLE VII.

In Anſwer to the Seventh Article, the ſaid Earl ſaith, That he never adviſed Her Late Majeſty to accept of a Treaty with *France*, on a Suppoſition that the *Spaniſh* Monarchy ſhould continue in the Poſſeſſion of a Branch of the Houſe of *Bourbon*;

Bourbon; nor did he adviſe, or carry on any Private or Separate Negotiation with *France*, on the Subject of a Renunciation to be made by the Duke of *Anjou*, of the Right he might have to the Kingdom of *France*, or that ſuch Renunciation ſhould be the Security againſt the Re-union of the Two Kingdoms: Or that, by his Councils, Her Majeſty was prevail'd upon to accept, and finally to conclude and ratify a Treaty of Peace with *France*, wherein the ſaid Renunciation is taken as a ſufficient Expedient to prevent the Miſchiefs that threaten'd all *Europe*, in caſe the Crowns of *France* and *Spain* ſhould be united upon the Head of one and the ſame Perſon: Nor doth he know, that, during the ſaid Negotiation, any ſuch Memorial, as in the ſaid Article is ſet forth, was tranſmitted by the ſaid Monſieur *de Torcy* to any of Her Majeſty's Principal Secretaries of State: But he the ſaid Earl doth freely acknowledge, that if he had been call'd upon to give his Opinion concerning the Leaving of *Spain* and the *Indies* in the Poſſeſſion of a Branch of the Houſe of *Bourbon*, and accepting the Renunciation of his Right to the Kingdom of *France*, by the Duke of *Anjou*, he doth at preſent ſee any reaſon why he might not have been of Opinion for leaving *Spain* and the *Weſt Indies* to the preſent Poſſeſſor, and accepting the Renunciation, rather than have continued the War, ſo burthenſome to the People, and ſo impracticable upon the Foot on which it then ſtood, eſpecially ſince all Endeavours to remove him by Treaties or Force, had ſo long prov'd ineffectual. And in caſe any ſuch Memorial, as is ſet forth in the ſaid Article, was ſent by any Miniſter of *France* to the Secretary of the Late Queen, he ſhould look upon the ſame as a Proof of the Earneſtneſs of the Court of *France* to avoid ſuch Renunciation, which might more effectually prevent all Poſſibility of annexing the Crown of *Spain* to that of *France*. But whatever Inducements might be for ſuch a Memorial (if any ſuch was tranſmitted) the ſaid Earl doth affirm, that he never gave any Councils, by which the Intereſt of the common Cauſe could be betray'd into the Hands of the Enemy; nor doth he think it was poſſible, by any Power or Influence, to engage Her Majeſty to become Party with *France* in any Deceit; but whatever Credit he at any Time had by her Favour, he always uſed it, with the utmoſt Sincerity, for her Service, and the Good of her People.

ARTICLE

ARTICLE VIII.

In Anſwer to the Eighth Article, the ſaid Earl believes, That Her Late Majeſty Queen *ANNE* did, on the 7th Day of *December*, in the Year of our Lord 1711, recommend it from the Throne, *That Proviſion might be made for an early Campaign, in order to carry on the War with Vigour, and as the beſt Way to render the Treaty of Peace effectual*; and he does believe, that, in order thereto, Supplies were granted and Magazines provided, at a great Expence, for an early Campaign, and that, in purſuance thereof, Her Majeſty might ſend ſome General Officers to explain her Intentions to her Allies; and likewiſe inſtructed her General, the Duke of *Ormonde*, to declare her Reſolutions of carrying on the War, and to concert, with the Generals of the Allies, the proper Meaſures for ent'ring upon Action; and he doth believe, that the Confederate Army was provided with all Neceſſaries; but whether the ſaid Army had approach'd, or how near they had approach'd to the Enemy; whether they had any, or what Superiority, as to the Number of Troops, or what Likelihood there was, that they would have been able, either by Battel or Siege, to have better'd the Affairs of the Allies, or to have facilitated the Negotiations of Peace, the ſaid Earl is not able to ſay; but it muſt be obvious to every one, that any Miſcarriage or Diſaſter, on the part of the Allies, at ſuch a Juncture, muſt have been fatal to them: And though the Divine Aſſiſtance had been very Remarkable in the many Victories her Majeſty's Forces had obtain'd, yet Her Majeſty's Piety was ſo great, that it is not likely ſhe ſhould, without the greateſt Neceſſity, have been willing to have tempted That Providence Which had been ſo Signal in her Favour, by hazarding the Blood of her Subjects, at a Time when ſhe had ſo near a Proſpect of the Concluſion of a Peace; and the ſaid Earl believes it might be owing to this Piety of the Queen, and her Knowledge of ſome important Matters then depending, that Directions were ſent to the Duke of *Ormonde* (if any ſuch were ſent) to avoid engaging in any Siege, or hazarding any Battel, till further Orders; which he ſuppoſeth Her Majeſty might do upon any Cauſes ſhe thought proper, as well as the Deputies of the States, who, as the ſaid Earl hath been inform'd, have often refus'd to engage in Siege or Battel, upon ſuch Ground as they alone thought fit, when their own Generals,

Generals, and the Generals of the other Allies, were of Opinion, they had a viſible Advantage of the Enemy, and might engage in ſuch a Siege or Battel, with great Probabilty of Succeſs: But he doth affirm, That the Miniſters of *France* never repreſented to him, or to any others, as far as he knows, during any Negotiation, any Apprehenſions they had from the Bravery and good Diſpoſition of the Confederate Army; nor was he ever inform'd of any ſure Proſpect, which it is alledg'd, the Army of the Confederates then had, of gaining New Conqueſts over the Army of *France*, or whereby they would have been enabled to have forced any Better Terms of Peace than there was at that Time Likelihood of: But, on the contrary, he has been inform'd, that the Forces of *France* were ſuperior in Number to thoſe of the Confederates, eſpecially in Horſe. However, the ſaid Earl doth not admit that he did adviſe or conſent that any Order ſhould be diſpatch'd, in Her Majeſty's Name, to the Duke of *Ormonde* to the aforemention'd effect; nor had he any View or Deſign to diſappoint the Expectation of the Allies, or to give Succeſs to any Secret Negotiations with the Miniſters of *France*. The ſaid Earl likewiſe denies, that he did conſent or adviſe, that Orders ſhould be ſent to the Biſhop of *Briſtol*, one of Her Majeſty's Plenipotentiaries then at *Utrecht*, to declare to the *Dutch* Miniſters, That Her Majeſty look'd on her ſelf, from their Conduct, to be then under no Obligation whatſoever to them; he doth not know what Alarms the Allies might take, or what Repreſentations they made to the Biſhop of *Briſtol*, of their Diſſatisfaction, or Conſternation, but doubts not the ſaid Biſhop would readily repreſent what they deſir'd, tho' ſuch Repreſentation made by His Lordſhip, if any ſuch there was, fell not under the Knowledge of the ſaid Earl, nor doth he admit that any Application of that kind was made to him. And in caſe the States General made ſuch Addreſs directly to Her Majeſty, by a Letter of the 5th Day of *June*, as in the ſaid Article is ſet forth; he the ſaid Earl not being acquainted therewith, could neither adviſe Her Majeſty to hearken to the Inſtances therein made, nor to diſregard, or to reject the ſame. He ſaith, He never enter'd into Meaſures for the Advancement of the Intereſt of the common Enemy, or countenanc'd, encourag'd, advis'd, or promoted any Negotiations with *France*, without Participation of the Allies,

Allies, or contrary to Her Majeſty's Engagement, or to the Ruin of the common Cauſe; nor is he conſcious to himſelf, that he ever gave any Councils, by which the Progreſs of the victorious Arms of the Confederates was ſtopped, or any Opportunity loſt for conquering the Enemy, or which had any Tendency to deſtroy the Confidence between Her Majeſty and her Allies, or make the *French* King Maſter of the Negotiations of Peace, or which could put the Affairs of *Europe* into his Hands.

ARTICLE IX.

In Anſwer to the Ninth Article, The ſaid Earl denies he was privy, or conſenting to any Concert with the Miniſters of *France*, for the ſeparating the Troops in Her Majeſty's Pay from the reſt of the Confederate Army; and not being privy to any ſuch Concert, he hopes it will not be imputed to him as any Want of Duty, that he did not adviſe againſt ſuch a Proceeding. He denies alſo, that he ever entertain'd the leaſt Deſign of impoſing upon the Allies any Neceſſity of ſubmitting to the Terms of *France*, or of leaving the Confederate Army to the Mercy of the Enemy, or that he did conſent or adviſe Her Majeſty, that the Duke of *Ormonde* and the Troops in Her Majeſty's Pay, or ſuch of them as would obey his Orders, ſhould ſeparate themſelves from the Army of the Confederates. The ſaid Earl hath been informed, and believes it to be true, that the Imperial General and ſome other Generals, did propoſe to the Duke of *Ormonde*, in *June* or *July*, in the Year 1712, to decamp from the Ground where they lay, and to proceed towards *Landrecy*, in order to form the Siege of that Place, and that the Duke of *Ormonde* thought it not proper to conſent thereto, and gave Notice to the ſaid Generals, that if they decamped, they muſt not expect him to follow them: And the ſaid Earl believes Inſtances may be given, where Generals of other Potentates in the Alliance, have refuſed to comply with what has been propoſed to them by Her Late Majeſty's General. The ſaid Earl hath likewiſe heard, that notwithſtanding ſuch Notice from the Duke of *Ormonde*, the ſaid Generals ſeparated themſelves and their Forces from the ſaid Duke, and marched towards *Landrecy* without him, and that the ſaid Duke continued for ſome Time in his former Camp, after ſuch Separation; and that the Generals of the Auxiliary Troops paid by Her Maje-

ſty, altho' requir'd by the ſaid Duke of *Ormonde*, under whoſe Command they then were, to continue with him, and to obey his Orders, refus'd ſo to do: He the ſaid Earl ſuppoſes it might proceed from Her Majeſty's Reſentment of that Inſtance of Diſobedience in the Auxiliary Troops, to the Commands of her General, that ſhe did not think fit immediately to pay the Arrears of thoſe Forces, which had ſo obſtinately withdrawn themſelves from her General, and marched without him towards *Landrecy*, as not apprehending her ſelf obliged by any Conventions, or the Proviſion of any Act of Parliament, ſo to do. But whatever might be the Cauſes or Occaſions of Her Majeſty's Reſentment, the ſaid Earl ſaith, That he being in the Office of High Treaſurer under Her Majeſty, could not, by the Duty of his Place, iſſue out any Monies, without a proper Warrant or Authority from Her Majeſty; and denies that ever he received any Warrant or Authority from Her Majeſty, for iſſuing any Sum or Sums of Money, for or towards the Pay or Subſidies, on account of the ſaid Foreign Troops, who had ſo ſeparated, without which, the Iſſuing or Directing any Monies for the Payment of them, had been a Violation of his Duty. And the ſaid Earl denies, that he did at any time refuſe or put a ſtop to any ſuch Pay or Subſidies; but, on the contrary, when the Miniſters of the Princes to whom thoſe Forces belong'd, did apply for the Payment of the ſaid Troops, the ſaid Earl deſir'd them to make Application to Her Majeſty, for the neceſſary Warrants in order thereunto: And as the ſaid Earl had no Notice of any Separation intended between Her Majeſty's Forces and thoſe of the Allies, before the ſame was made, ſo he abſolutely denies, that, by his Advice or Council, or with his Privity, any ſuch Separation was made: And humbly apprehends, that he ought not in Juſtice to be charged with any Conſequences of it. He believes, that the Forces of ſome of the Allies were engaged in the unfortunate Action of *Denain*, and that the Siege of *Landrecy* was rais'd, and the Towns of *Queſnoy*, *Bouchain*, and *Douay* were ſometime after retaken by the *French* Army: But whether thoſe Diſaſters might not have been prevented, by a Compliance with the Meaſures Her Majeſty had taken for the Common Good, the ſaid Earl ſubmits to Your Lordſhips.

ARTICLE

ARTICLE X.

In Answer to the Tenth Article, the said Earl denies, that he did carry on, or concert with the Ministers of *France*, a Private or Separate Negotiation for a general Suspension by Sea and Land, between *Great Britain* and *France*; or that he did advise Her Maj. to send over *Hen.* Visc. *Bolingbroke* to the Court of *France*, with Powers to settle such Suspension; but hath been informed, and believes it may be true, that about the 19th of *August*, N. S. 1712, a Suspension of Arms was agreed on in *France*, by the said Viscount *Bolingbroke*, on Her Majesty's part, for Four Months; but whether such Agreement was made without the Knowledge or Participation of Her Majesty's Allies, or how far the Terms of Peace were then settled with *France*, either for *Great Britain* or the Allies, the said Earl is not able to set forth: But from the Informations he hath received of that Affair, believes it will appear, that the said Suspension was a Continuation only of a former Agreement for a Cessation of Arms, which had been not only communicated to the Allies, but into which they had been invited; and believes, Her Majesty might be induced to desire such Cessation, as what was usual among Princes and States in War, during Negotiations of Peace, by which means the *British* Merchants enjoy'd a free Trade, and had an Opportunity of carrying the Merchandizes of other Countries to several Parts of *Europe*, as the *Dutch* had done during the War; and therefore the said Earl doth not conceive that Her Majesty, by the said Suspension, did in the least intend the Violation of any Treaties between her and her Allies, or to deprive them of any Assistance to which they were intitled, or to expose them to the Insults of the common Enemy: Nor doth he discern how these Consequences could ensue, without the Default of the Allies themselves, much less how the Ties of Union and Friendship, between Her Majesty and them, were cut asunder, or Her Majesty's Person or Government, or the Safety of her Kingdoms, or the *Protestant* Succession, were expos'd thereby. But the said Earl assures himself, that he shall never stand chargeable with any Consequences of such Suspension, which he never advis'd; nor did he the said Earl ever entertain the least Thought or Design of occasioning the Destruction of the common Cause of *Europe*, or hind'ring Her Majesty from resuming the War against

France, in Conjunction with her Allies, if it had been ſo thought fit, or of weak'ning the Union between Her Majeſty and them.

ARTICLE XI.

In Anſwer to the eleventh Article, the ſaid Earl ſaith, he believes it to be true, That in or about the Month of *September* or *October* 1712, the States-General were in Poſſeſſion of the Town and Fortreſs of *Tournay*; and that Her Majeſty, in Her Inſtructions of *December* the 23d 1711, to Her Plenipotentiaries at *Utrecht*, did direct them to inſiſt with the Plenipotentiaries of *France*, in the General Congreſs, that towards forming a Barrier for the States-General, *Tournay* ſhould remain to the States; and doth believe the *French* King did, at one Time, incline thereunto: But doth not know that her Majeſty, in her Speech, in the ſaid Article mentioned, did declare her Self as in the ſaid Article ſet forth. The ſaid Earl admits, That until and after the Months of *September* and *October* 1711, there was open War between her late Majeſty and the *French* King; and that during ſuch War, the *French* King and his Subjects were Enemies to the late Queen; but the ſaid Earl hath been inform'd, and believes, That full Powers were given by her Majeſty, and the States-General of the United Provinces, to their reſpective Miniſters, and by the *French* King to his Miniſters, to negotiate and treat of Peace between her Majeſty, and the States General, and the ſaid *French* King; upon which Negotiations, a Peace was afterwards concluded between them; during which Negotiations he hath heard, That the *French* King did inſiſt upon the yielding up the Town and Fortreſs of *Tournay*, by the States, to him; and the ſaid States General deſir'd her Majeſty's Interpoſition with the *French* King on their Behalf; and that at ſuch Requeſt, her Majeſty interpos'd her beſt Offices, on Behalf of the States General, and did at laſt prevail, that the ſaid Town and Fortreſs of *Tournay* ſhould be, and he believes the ſame is continu'd to the States General, as Part of their Barrier. But the ſaid Earl abſolutely denies, That he did deſign to give Aid, or Succour, or to adhere to the *French* King; or, That he did in or about the Month of *October* 1712, or at any other Time during the ſaid War, Aid, Help, or Aſſiſt, or adhere to the ſaid *French* King; or, That he

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did ever Council or Adviſe the ſaid Enemy in what Man nor or by what Methods the ſaid Town and Fortreſs of *Tournay*, or either of them, might be gain'd from the States-General to the *French* King, in Manner and Form as in the ſaid Article is charg'd. On the contrary, he the ſaid Earl did uſe his beſt Offices to preſerve the ſaid Town and Fortreſs of *Tournay*, to the States General. But the ſaid Earl ſaith, That during the Negotiations of the late Peace, he had the Honour to be one of her ſaid late Majeſty's Privy-Council; and whatſoever Council or Advice he gave, relating to any Terms of the ſaid Peace, he acted therein as a Privy Councellor and Miniſter of State, and no otherwiſe: And doth inſiſt, That for any Privy-Councellor, or Miniſter of State, during the Negotiations of Peace, to treat, adviſe, or negotiate, concerning the yielding or giving up any Town, Province, or Dominion, upon the Concluſion of the Peace, as Part of the Terms and Conditions of ſuch Peace, is not High Treaſon by Law of this Realm; and that ſuch Conſtruction might hereafter deprive the Crown of the Advice and Aſſiſtance of ſeveral Members of the Privy-Council, in Matters of the greateſt Importance, by deterring them from giving ſuch Advice, as by their Oaths, and the Duty of their Place, they are oblig'd to do; would overthrow all Means of reſtoring Amity between Princes, and render the Law, in Caſe of High Treaſon, uncertain, which, by Reaſon of its being moſt Penal, ought to be moſt Plain, and would be highly dangerous and deſtructive to the Lives and Liberties of the Subject.

ARTICLE XII.

In Anſwer to the twelfth Article, the ſaid Earl not admitting that her late Majeſty Queen *ANNE*, ſtood engag'd by Treaties in Manner as in the ſaid Article is alledg'd; but referring himſelf to the Treaties, when they ſhall be produc'd, for Anſwer, denies, That he did, in any of the Years 1710, 1711, and 1712, or at any other Time, Aid, Help, Aſſiſt, or Adhere to the Duke of *Anjou*, in the ſaid Article nam'd, or Adviſe or Council any of the Enemies of her ſaid late Majeſty, or Concert with any of them, or promote the yielding or giving up of *Spain* and the *Weſt-Indies*, or any Part thereof to the ſaid Duke of *Anjou*, in Manner and Form, as in the ſaid Article is alledg'd. And

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the ſaid Earl ſaith, as in his Anſwer to the eleventh Article he hath already ſaid, That during the Negotiations of the late Peace, he had the Honour to be one of her ſaid late Majeſty's Privy-Council, and whatever Council or Advice he gave, relating to any Terms of the ſaid Peace, he acted therein as a Privy Councellor, and Miniſter of State, and no otherwiſe; and inſiſts as in his Anſwer to the eleventh Article he has inſiſted.

ARTICLE XIII.

In Anſwer to the thirteenth Article, The ſaid Earl admits that the flouriſhing Condition of Trade and Navigation contributes much to the Riches, Power, and Strength of theſe Kingdoms; and believes that her late Majeſty had a juſt Regard thereto, and a ſincere Deſire to obtain ſome Advantages therein for her People; and did make the ſeveral Declarations from the Throne, ſet forth in this Article: And that both Houſes of Parliament did from Time to Time expreſs their greatful Acknowledgments to her Majeſty, for her great Care and Concern for the Welfare of her People; and believes her Majeſty might think it reaſonable, conſidering the Share and Burthen ſhe and her People had ſuſtain'd in the War, that *France* ſhould in the firſt Place adjuſt the Intereſts of *Great Britain*, which were to be ſecur'd on the Concluſion of a General Peace: But the ſaid Earl doth not know, or believe, that at the ſetting on Foot, or in the Progreſs of any Negotiation, between the Miniſters of *Great Britain* and *France*, it was laid down as a Principle, that *France* ſhould in the firſt Place conſent to adjuſt the Intereſts of *Great Britain*, to the Intent that the Miniſters of *Great Britain* might thereby be enabled to engage the Queen to make the Concluſion of the Peace eaſy to *France*; nor doth he know that any Conceſſions were made by the Miniſters of *Great Britain*, with Intent to promote the Intereſts of *France* againſt the Allies; or that any Meaſures were enter'd into, or concerted between them, in order to ſtrengthen the Hands of the *French*, or to enable them to impoſe the Terms of a General Peace. And the ſaid Earl doth abſolutely deny, That he was engag'd in Concert with *France*, in any Negotiations deſtructive to his Country, or that he ever had the leaſt Imagination or Thought tending that Way, or to the ſacrificing the Com-

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merce of *Great Britain* to the aggrandizement of *France*; but, on the contrary, he hath always had the moſt real and ſincere Deſires, to ſecure and advance the Commerce of *Great Britain*, and to preſerve his Country, in whoſe Service he hath been always ready to ſacrifice himſelf, and every private Intereſt whatſoever. And the ſaid E. is not conſcious to himſelf of any Want of Duty, either in not inſiſting upon, or not procuring the moſt certain Securities that could be obtain'd for the Safety and Advantage of the Commerce of theſe Kingdoms. And the ſaid Earl doth not admit, that he did adviſe her late Majeſty, that any Propoſition ſhould be ſent by Mr. *Prior* to *France*; or that any private or ſeparate Treaty, or the preliminary Articles, which are ſaid to be ſign'd the 27th of *September* 1711, ſhould be ſign'd. But the ſaid Earl hath been inform'd, and believes, that in a Paper intituled, *The Anſwer of* France *to the Demands of* Great Britain, *more particularly*, it is ſaid, *That the entire Reſtitution of* Newfoundland, *and of the Bay and Streights of* Hudſon, *was demanded for the* Engliſh: And that the *French* King's Anſwer was, *That the Diſcuſſion of that Article ſhould be referred to the General Conferences of the Peace, provided the Liberty of fiſhing and drying of Cod-fiſh upon the Iſle of* Newfoundland, *ſhould be reſerv'd to the* French. And the ſaid Earl conceives that Paper not concluſive, but was to be the Subject of future Conferences, wherein the whole Matter might be entirely conſider'd; and conſequently that the entering into Conferences on that Paper, was not the yielding to the *French* the Liberty of fiſhing, and drying Fiſh on *Newfoundland*, which they inſiſted on. And the ſaid Earl denies, That he adviſ'd the Demands for *Great Britain*, in Point of Commerce, ſhould be made in looſe, general, or inſufficient Terms; or that he adviſ'd the Liberties inſiſted on by the *French*, ſhould be given up to *France*, as in the ſaid Article is alledg'd: And he believes, that when it is conſider'd what Advantages were likely to enſue to the Commerce of *Great Britain*, by the *Aſſiento* Contract, and the liberty of trading to the *Spaniſh Weſt-Indies*, by the Ceſſion of *Accadia*, the Bay and Streights of *Hudſon*, the Iſland of St. *Chriſtopher*, *Newfoundland*, the Iſland of St. *Peter*, with other adjacent Iſlands; by the demolition of *Dunkirk*, and the Ceſſion of *Port-Mahon* and *Gibraltar*, it will not be thought the Commerce

merce of *Great Britain* was neglected by her Majeſty, in the late Treaty of Peace. And as the ſaid Earl doth not know that *France* was at any Time Maſter of the Negotiations, ſo he denies that he did engage Her Majeſty in any private Treaties with *France*, without Security for the Commerce of *Great Britain*; or that he did contrive, with any of the Miniſters of *France*, to keep in Suſpence any Matters that concern'd the ſaid Commerce; or that he was any ways inſtrumental to the preventing any Advantages of the ſaid Commerce from being ſettled; or that he endeavonr'd to elude any thing that had been agreed on in any Negotiation for the Benefit of *Great Britain*. And altho' the ſaid Earl doth not admit, that he adviſed the Ninth Article of the Treaty of Commerce with *France*, yet he begs Leave to obſerve, that nothing is poſitively ſtipulated in that Article, but the whole is conditional, and left to be determined by the Wiſdom of Parliament; and hopes it will never be thought an Act of Treachery, to refer an Article of any Treaty to the Judgment and Conſideration of Parliament, whatever Judgment the Parliament ſhall think fit to make thereon. And the ſaid Earl denies, that he adviſed Her Majeſty to agree with *France*, that the Subjects of *France* ſhould have Liberty of fiſhing, and drying Fiſh, on *Newfoundland*; but the ſaid Earl believes, that what Her Late Majeſty agreed with *France*, relating thereto, will not ſeem unreaſonable, if it be conſider'd, that the *French* long ago claim'd Right to, and were in Poſſeſſion of great part of *Newfoundland*, and that they were allow'd to continue in Poſſeſſion thereof by the Crown of *England*, in a Treaty made at *Whitehall*, in the Year 1686, and in another Treaty made at *Ryſwick*, in the Year 1697: And the ſaid Earl doth not know that ſuch Agreement of Her Majeſty is contrary to the expreſs Proviſion of any Act of Parliament, ſince, he preſumes, the Act made in the 10th and 11th Years of the Reign of King *William* the Third, intitled, *An Act to encourage the Trade to* Newfoundland, cannot reaſonably be intended, or conſtrued to extend to any Part of the Iſland, other than what was at the Time of making that Act, in the Poſſeſſion of the *Engliſh:* And the ſaid Earl is inform'd, that at that Time the Part of *Newfoundland*, where the Subjects of *France* are, by the Treaty of *Utrecht*, allow'd the Liberty of fiſhing, and dry-

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ing Fiſh, was not in the Poſſeſſion of the *Engliſh*. The ſaid Earl denies, that he adviſed Her Majeſty to make a Ceſſion to *France* of the Iſle of *Cape Breton*; or that he adviſed Her Majeſty to conſent, that what is agreed in the Treaty of *Utrecht*, concerning the Fiſhery of *Newfoundland*, or *Cape Breton*, ſhould be made an Article in that Treaty: However the ſaid Earl doth not know that *Cape Breton* was part of the Territories of the Crown of *Gr. Brit* nor does he apprehend, that Her Majeſty, who, in her Speech from the Throne, declar'd, *That* France *had conſented to make an abſolute Ceſſion of* Annapolis, *with the reſt of* Nova Scotia, *or* Accadia, ſhould be underſtood to ſpeak of *Cape Breton*, which is no Part of that Continent, but an Iſland diſtinct from it. The ſaid Earl further ſaith, He conceives, that the only Advantages in Trade, ſtipulated for *Great Britain*, did not depend on Conditions to be made good by Act of Parliament; on the contrary, he doubts not to make it appear, that many Advantages in Trade were ſtipulated for *Great Britain*, in the Late Treaties of Peace and Commerce, which have been enjoy'd by the Subjects of *Great Britain*, ſince the Concluſion of the ſaid Treaties, notwithſtanding the Parliament had not thought fit to make any Act to enforce the Ninth Article of the Treaty of Commerce with *France*. And the ſaid Earl denies, that, by his Councils, the good Intentions of Her Sacred Majeſty, to have obtained for her People Advantageous Terms of Commerce, were fruſtrated, or the Trade or Manufactures of *Great Britain* render'd precarious, or at the Mercy of the Enemy, or any Beneficial Branch of Trade yielded up to the Subjects of *France*. And as the ſaid Earl diſowns the being concern'd in any Violation of Treaties, or in carrying on the Meaſures of *France*, or in any Negotiation, which could terminate in the Sacrifice of the Commerce of *Great Britain* to *France*; ſo he obſerves, with great Satisfaction, the Flouriſhing Condition of the Trade and Navigation of theſe Kingdoms, ſince the Concluſion, and by means of the Late Peace, in the great Increaſe of the Number and Tonnage of Shipping, of the Exportation of the Woollen Manufactures, the Fiſh, and other Product of this Kingdom; in conſequence whereof the Cuſtoms have been greatly advanc'd, near Three Millions of Gold and Silver has been

coin'd, and the Exchange has all along been in Favour of *England*, to and from all Parts of *Europe*.

ARTICLE XIV.

In Anſwer to the Fourteenth Article, the ſaid Earl doth not admit that he form'd any Project, or Deſign, for diſpoſing the Kingdom of *Sicily* to the Duke of *Savoy*, from the Houſe of *Auſtria*; or that he did adviſe Her Majeſty to give any ſuch Inſtructions to *Henry* Viſc. *Bolingbroke*, as in the ſaid Article mention'd, or to conſent to any Treaty, wherein a Ceſſion is made of the ſaid Kingdom to His Royal Highneſs, without any Concurrence or Participation of His Imperial Majeſty; nor doth he admit that Her Majeſty was prevail'd on, by his Advice, to aſſiſt His ſaid Royal Highneſs with her Fleet, againſt the Emperor, in order to obtain the Poſſeſſion of that Kingdom: But, in Juſtification of Her Majeſty's Proceedings, in relation to the ſaid Kingdom, the ſaid Earl doth beg Leave to obſerve, that, by the Grand Alliance, *it was agreed, among other things, that the Confederates ſhould uſe their utmoſt Endeavours to recover the Kingdom of* Sicily *out of the Hands of the Enemy*; *and that the Principal Ends for endeavouring the Recovery of* Sicily *were, That His Imperial Majeſty might have a reaſonable Satisfaction for his Pretenſion to the* Spaniſh *Monarchy, and that the Trade and Navigation of the Subjects of* Great Britain *and* Holland *might thereby be better ſecured.* Since therefore the Empire, and Hereditary Countries of *Auſtria*, were now fallen upon *Charles* the Third, who, at the Time of that Treaty, was a Younger Branch of that Houſe: Since ſeveral Towns in the *French Flanders*, which were not in the Poſſeſſion of King *Charles* the Second, at the Time of his Death, together with *Spaniſh Flanders*, *Milan*, and *Naples*, might ſeem a reaſonable Satisfaction for His Imperial Majeſty's Pretenſions to *the Spaniſh* Succeſſion: And ſince the Trade and Navigation of the Subjects of *Great Britain* and *Holland* would be as effectually ſecur'd, by the Diſpoſition of the Kingdom of *Sicily* to the Duke of *Savoy*, as if the ſaid Kingdom had fallen to the Share of the Emperor: And greater Difficulties would be likely to ariſe in obtaining the Diſpoſition thereof to the Houſe of *Auſtria*, than to that Duke, inaſmuch as King *Philip* might be more eaſily induc'd to yield it to the Duke of *Savoy*, than to ſo potent a Prince as the Emperor; and there were Grounds

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to believe that all, or moſt of the Princes and States of *Italy* were ſo apprehenſive of the growing Power of the Houſe of *Auſtria* in *Italy*, that they would ſuffer any Extremities rather than ſubmit that *Sicily*, together with *Milan* and *Naples*, ſhould be in the Hands of the Emperor, the ſaid Earl doth not diſcern how any Project to diſpoſe of the ſaid Kingdom to that Duke, could be thought unjuſt, diſhonourable, or pernicious, or any Act of Injuſtice to His Imperial Majeſty, or Violation of the Grand Alliance: Nor doth the ſaid Earl remember in what reſpect it was contradictory to any Declaration of Her Majeſty, or the Inſtructions ſhe had given her Plenipotentiaries: And in caſe Her Majeſty thought fit afterwards to employ any part of her Fleet to aſſiſt that Duke, her good and faithful Ally, to take Poſſeſſion of that Kingdom, from the Enemy, in Conſideration of the ſaid Duke's ſteady Adherence to the Confederacy, and great Sufferings by ſuch Adherence; he the ſaid Earl is not able to diſcover why ſuch Aſſiſtance might not be given to the ſaid Duke, as well as to any other of her Allies whatſoever. And ſince it is allow'd by this Article, that the then Duke of *Savoy* never made any Application, in order to obtain the ſaid Kingdom for himſelf, it ſeems an Evidence at leaſt, that the Perſon or Perſons who adviſ'd the Late Queen to agree to ſuch Allotment, did not act upon any Private Intereſt, or had any other View than the Preſervation of a Ballance of Power in *Europe*, and the Security of the Trade and Navigation of the Subjects of *Great Britain* and *Holland*; and cannot reaſonably be thought, upon a Fair and Candid Interpretation, to have been guilty of betraying the National Faith, or Honour of the Crown, or employing the Naval Power of theſe Kingdoms, or the Supplies granted by Parliament, againſt any Ally of this Kingdom.

ARTICLE XV.

In Anſwer to the Fifteenth Article, the ſaid Earl ſaith, He is and always was of Opinion, that the Word of the Sovereign is ſacred, and that all Communications from the Throne to Parliament, ought to be true, and that it becomes all Miniſters of State, as far as in them lies, to maintain the Honour of the Crown, in ſuch Caſes, with the utmoſt Exactneſs; nor doth the ſaid Earl know, that he hath, at any Time, been defective in his Duty, in this Particular, or ever

took upon himſelf any Arbitrary or Unwarrantable Authority, much leſs the Chief Direction and Influence of Her Majeſty's Councils: Nor did he ever proſtitute the Honour of the Crown or Dignity of Parliament, by miſrepreſenting any part of the Late Negotiations of Peace, to deceive either Her Majeſty, her Allies, her Parliament, or her People; nor did he ever prepare, form, or concert, or adviſe Her Majeſty to make any Speech or Declaration, from the Throne, to her Parliament, that was not conformable to Truth: He believes Her Majeſty might make ſeveral Speeches, from the Throne, to her Parliament, at the ſeveral Times in the ſaid Article mentioned, to which the ſaid Earl refers; and particularly, that Her Majeſty did, on the 7th Day of *December* 1711, declare, *That her Allies, eſpecially the States General, had, by their ready Compliance for opening the Treaty of a General Peace, expreſs'd their Confidence in her:* But the ſaid Earl not admitting there were ſuch Repreſentations as ſuggeſted in this Article, begs Leave, in Vindication of the Honour of his Royal Miſtreſs, who was a Princeſs of ſtrict Piety and Truth, to obſerve, that the States General ſent over Monſieur *Buys* to Her Majeſty, with Letters full of Aſſurances of their Reſpect for her Perſon, and their Reſolutions not to ſeparate themſelves from her; and likewiſe ſignify'd by him, to her Miniſters, their Readineſs to concur with Her Majeſty. And the ſaid Monſieur *Buys*, immediately upon his Arrival at *London*, deliver'd Paſſports for the *French* Miniſters to come to *Utrecht*; and at a Meeting of ſeveral Lords of the Council, ſhew'd his Approbation of ſending circular Letters to invite the reſt of the Allies to the general Congreſs: And the ſaid Monſieur *Buys* exhibited full Powers for preparing and ſigning a new Treaty, whereby Her Majeſty and the States ſhould be mutually engag'd to each other in making War and Peace, to guarantee the Peace when made, and to invite the reſt of the Allies into ſuch Guaranty; all which Matters and Tranſactions being previous to the 7th of *Dec.* 1711, Her Majeſty might juſtly regard the aforeſaid authentick Acts and Aſſurances, as greater Proofs of the Confidence the States had in her, and of their Readineſs to concur with her, than any Repreſentations or Reports before that Time; and that the

ſaid

ſaid Declaration of Her Majeſty from the Throne, was founded upon the ſtricteſt Truth. And the ſaid Earl believes, that every one who impartially conſiders the Steps taken in the Late Negotiations of Peace, the Length of the Treaty, the ſeveral Letters from One of Her Majeſty's Principal Secretaries of State to her Plenipotentiaries at *Utrecht*, the Ratification of the Engagement ſign'd by her Miniſters and Monſieur *Buys*, the 18th of *December* 1711, and her Exhorting the States to ratify the ſame, her preſſing Inſtances to the Princes and States of the Empire, and the many other Acts which were done by Her Majeſty's Orders, during that Tranſaction, for the Service and Satisfaction of her Allies, will readily acknowledge, that Her Majeſty did her utmoſt to procure for her Allies, and in particular for His Imperial Majeſty, all Reaſonable Satisfaction, and to unite with them, in the ſtricteſt Engagements, to render the Peace ſecure and laſting, agreeable to her Speech of the ſaid 7th of *December*, and her Meſſage of the 17th of *January* following, in this Article mentioned: And if by any Extraordinary Demands, or Groundleſs Jealouſies of any of the Allies, or other Accidents, Her Majeſty was not able to obtain for them all the Advantages ſhe deſired, this will not derogate from the Truth and Sincerity of Her Majeſty's Expreſſions: And it is evident Her Majeſty did procure them ſo great Satisfaction, that the Allies did all ſign the Peace at the ſame Time with Her Majeſty, excepting only the Emperor; and even his Intereſts were ſo far adjuſted, that what remain'd in Diſpute was not thought of Conſequence ſufficient to delay ſo great and good a Work: And it is well known the Emperors of *Germany* have frequently declin'd ſigning their Treaties of Peace at the ſame Time with their Allies: But that Her Majeſty was induc'd, by any Influence of the ſaid Earl, to enter into any Negotiation with *France*, excluſive of her Allies, or that the ſaid Earl carried on any ſuch Negotiation, or that the the Intereſt of the ſaid Allies, or, in particular, of the Emperor, were, by any Practices of his, given up to *France*, he utterly denies. And when it is conſider'd, that much *Britiſh* Blood and Treaſure had been ſpent to recover *Spain* and the *Weſt Indies* from the Houſe of *Bourbon*, that an expenſive War had, for many Years, continued, which Her Majeſty ſtill ſupply'd with new Recruits and redoubled Expence;

that

that her Armies, and thoſe of the Allies, had been beaten in *Spain*; that Prince *Eugene* had declar'd, that Forty Thouſand Men and 4000000 of Crowns *per Annum*, would be neceſſary for carrying on that War, and that his Maſter could ſupply no more than a Fourth Part of that Charge; that it was found by long Experience, how averſe the People of *Spain*, in general, were, to ſubmit themſelves to the Houſe of *Auſtria*; that Her Majeſty diſcerned the Charge of renewing the War with *Spain* would be a Burthen too great for her Subjects, and that there was little Probability of its being ſucceſsful; that the Hereditary Countries were then, by the Death of the Emperor *Joſeph*, fallen to King *Charles*, who was ſoon after choſen Emperor (by which Event the Intereſt of the Princes and States of *Europe* was changed) it cannot be doubted but that Her Late Majeſty had, at the Time when ſhe made the aforeſaid Declaration, done her utmoſt to recover *Spain* and the *Weſt Indies* by Force of Arms: And the moſt ſhe could do afterwards, was by way of Negotiation, wherein ſhe inſiſted with that Earneſtneſs on King *Philip*'s quitting *Spain*, that *France* comply'd with Her Majeſty's Propoſals: But when King *Philip* could not be prevail'd on to give up *Spain*, Her Majeſty thought his Renunciation of the Crown of *France*, as Circumſtances then ſtood, the moſt practicable, if not the only Method left, to prevent the Union of theſe Two Monarchies: But the ſaid Earl doth not think it probable, that the leaving *Spain* and the *Weſt Indies* to the Houſe of *Bourbon*, was the Foundation of the Preliminary Articles ſign'd by Monſieur *Meſnager*, and of the Declaration annexed, which had been ſign'd by the Lord *Dartmouth* and Mr. *St. John*, with Her Majeſty's Conſent (and which the ſaid Earl ſuppoſes, is what is called the Private Treaty in this Article) ſince he believes it was then thought more likely, that the Crown of *Spain* might fall to ſome other Prince. And the ſaid Earl doth not obſerve, how Her Majeſty can be charg'd with uttering any Falſity in her Meſſage of the 17th of *January*, wherein ſhe takes notice, *How groundleſs the Reports were, that had been ſpread, of a Separate Peace being treated, for which Report there was not then, nor at any other Time, the leaſt Foundation; ſince only ſome few Points were adjuſted, relating to the particular Intereſt of her own Kingdoms, and even thoſe were to have no effect but upon*

the Concluſion of a General Peace, and were likewiſe, before ſuch Concluſion, communicated to the Allies. And the ſaid Earl denies, that thenceforth, or at any Time, there were carried on, by him, any Separate Meaſures with the Miniſters of *France*; nor doth he conceive, that the Propoſal about the Renunciation was merely ſpeculative, but that it was *of ſuch a Nature* as would *execute it ſelf*, and keep the Crowns of *France* and *Spain* more effectually divided than ever, if it be conſider'd, that it did not conſiſt only in a Renunciation to be made by *Philip*, then in the Poſſeſſion of the Crown of *Spain*, of his contingent Right to that of *France*, but that there was a Title to the Crown of *France* thereby given to the D. of *Orleans*, and after him to the reſt of the Princes of the H. of *Bourbon*, who could not be preſumed to want the Will, nor would be likely to want the Power, to take Poſſeſſion of the Crown of *France*, by Virtue of ſuch Title, in Oppoſition to a Prince at ſuch a Diſtance, and who had ſolemnly renounced all his Pretenſions to it. Nor can the ſaid Earl think, the Declaration of any Miniſter of *France*, againſt ſuch Expedient (if any ſuch was made) a ſufficient Ground for Her Majeſty to decline it. The ſaid Earl therefore muſt beg Leave to repeat, that he is not able to diſcover, from any thing that appears in thoſe Speeches, that, in the Particulars aforementioned, or any other the Eſſential Points relating to the Peace and Commerce, or which concerned the Intereſts either of her Allies or *Gr. Britain*, were miſrepreſented by Her Majeſty; nor doth he know, or believe, that any Inſtance can be given, wherein he abus'd the Favour of his Royal Miſtreſs, to whom he did always bear and pay the moſt ſincere Veneration and Duty; or wherein he did miſlead her Parliament into any Groundleſs or Fatal Reſolution, or prevented their Advice to Her Majeſty, or obtained their Approbation to any Dangerous Practices, or whereby Her Majeſty could be ever depriv'd of the Confidence of her Allies, or expos'd to Contempt.

ARTICLE XVI.

In Anſwer to the Sixteenth Article, the ſaid Earl doth inſiſt, That, by the Laws and Conſtitution of this Realm, it is the undoubted Right and Prerogative of the Sovereign, who is the Fountain of Honour, to create Peers of this Realm, as well in Time of Parliament, as when there is no Parliament ſitting,

ſitting, or in being; and that the Exerciſe of this Branch of the Prerogative is declared in the Form or Preamble of all Patents of Honour, to proceed *ex mero Motu, as an Act of mere Grace and Favour*; and that ſuch Acts are not done, as many other Acts of a Publick Nature are, by and with the Advice of the Privy Council; or as Acts of Pardon uſually run, upon a Favourable Repreſentation of ſeveral Circumſtances, or upon Reports from the Attorney General, or other Officers, that ſuch Acts are lawful or expedient, or for the Safety or Advantage of the Crown; but flows entirely from the beneficent and gracious Diſpoſition of the Sovereign. He farther ſays, That neither the Warrants for Patents of Honour, the Bills, or other Engroſſments of ſuch Patents, are, at any Time, communicated to the Council, or the Treaſury, as ſeveral other Patents are; and therefore the ſaid Earl, either as High Treaſurer or Privy Counſellor, could not have any Knowledge of the ſame: Nevertheleſs, if Her Late Sacred Majeſty had thought fit to acquaint him with her moſt gracious Intentions of creating any Number of Peers of this Realm, and had asked his Opinion, Whether the Perſons whom ſhe then intended to create, were Perſons proper to have been promoted to that Dignity? He does believe he ſhould have highly approv'd Her Majeſty's Choice; and does not apprehend, that, in ſo doing, he had been guilty of any Breach of his Duty, or Violation of the Truſt in him repos'd; ſince they were all Perſons of Honour and diſtinguiſh'd Merit, and the Peerage thereby was not greatly increas'd, conſidering ſome of thoſe created would have been Peers by Deſcent, and many Noble Families were then lately extinct: And the ſaid Earl believes, many Inſtances may be given, where this Prerogative hath been exercis'd by former Princes of this Realm, in as extenſive a manner; and particularly in the Reigns of King *Henry* the Eighth, King *James* the Firſt, and His Late Majeſty King *William*. The ſaid Earl begs Leave to add, That, in the whole Courſe of his Life, he hath always lov'd the Eſtabliſh'd Conſtitution, and in his Private Capacity, as well as in all Publick Stations, when he had the Honour to be employ'd, has ever done his utmoſt to preſerve it, and ſhall always continue ſo to do.

Anſwer

Anſwer to the Firſt Additional Article.

In Anſwer to the further Articles of Impeachment exhibited againſt the ſaid Earl; as to the Firſt of thoſe Articles he ſaith, That he believes, in or about the Month of *January* 1710, an Expedition was projected, for making a Conqueſt of the City *Quebeck*, on the River of St. *Lawrence*, *Canada*, or other Poſſeſſions of the *French* King in *North America*; but denies he advis'd Her Majeſty either to conſent to the making ſuch Expedition, or to give Orders for detaching any Battallions of the Forces in Her Majeſty's Service in *Flanders*, or to ſend any ſuch Batallions, or any Squadron of Men of War on the ſaid Enterprize; but having heard that the ſaid Project, or ſome Expedition of the like Nature, had been, ſome Time before, conſider'd in a Committee of Council, and afterwards laid aſide for that Time, and not being fully apprized of the whole Project, nor ſo well vers'd in the Affairs of that Part of the World as others, who had more Opportunity of knowing them; and leſt the Expedition might not, at that Time, prove ſo feaſible or advantageous as others of better Knowledge in thoſe Matters than himſelf did expect, he did all that he apprehends his Duty requir'd, to prevent the putting the ſame in Execution, and expreſſed his Concern at it to ſome Perſons about the Queen. And having ſo far ſhewn his Opinion of the ſaid Deſign at that Time, believes it would not have been thought proper for him to have appear'd at the Meetings, where the Methods only of carrying on the Expedition were to be adjuſted, of which Meetings there had been but few, before a Misfortune befel him, which confin'd him to his Bed. But the ſaid Earl denies, that he knew the ſaid Expedition was dangerous or deſtructive, nor did he hear that it was laid aſide formerly by a Committee of Council, as dangerous or impracticable, but only as improper in the Circumſtances of Affairs *at that Time*; nor doth the ſaid Earl know or believe the ſaid Expedition was ſet on foot with any Deſign to promote the Intereſt of the *French* King, or to weaken the Confederate Army in *Flanders*, or to diſſipate the Naval Forces of this Kingdom; and when others of Her Majeſty's Council, better acquainted with that Affair, did judge it to be proper and practicable, he did not think it became him, upon the Strength of his own ſingle Judgment, further to oppoſe an Expedition, which, if it had

ſucceeded, moſt certainly would have given a great and ſenſible Blow to the Settlements and Trade of *France* in that Part of the World. And the ſaid Earl, with good Reaſon, is perſuaded Your Lordſhips will not think it unfit that Her Majeſty ſhould take the Opinion of thoſe who better underſtood Affairs of that Nature; or, that Your Lordſhips can judge the ſaid Earl, in that reſpect, to have been any way wanting in his Duty to Her Majeſty; but hopes it will be rather an Evidence of his Fidelity to the Queen and his Country, that he ſo far diſcouraged what, in his own Judgment, he was diffident of; however, he is ſatisfy'd, that thoſe of Her Majeſty's Council who did approve the Expedition, acted therein with a ſincere Deſire for the Publick Good, notwithſtanding the ill Succeſs it was attended with, which might chiefly be owing to Delays by contrary Winds, and other unforeſeen Accidents. And he doth not believe that Her Majeſty's Allies did ſuffer any Prejudice, or the common Enemy receive any Advantage, by the Detaching of Forces from *Flanders* to ſerve on this Enterprize; and is inform'd, that, to prevent any ſuch Danger, Her Majeſty's General, who commanded at that Time in *Flanders*, had Orders for providing other Forces in their Place, if he judged it neceſſary. And the ſaid Earl doth acknowledge, that the Sum of Twenty Eight Thouſand Pounds, or thereabouts, was demanded at the *Treaſury* about *June* 1711, on account of Arms, Accoutrements, Goods and Merchandize, ſaid to be ſent on the ſaid Expedition to *Canada*; but he ſaith, That he was ſo far from adviſing Her Late Majeſty that the ſaid Sum ſhould be iſſued and paid, that, on the contrary, he put a Stop to the Payment of the ſame, until he had done all he could, at that Time, to examine into the Expenditure of the ſaid Money: But being then High Treaſurer of *Great Britain*, and having received Her Majeſty's Orders to pay the ſaid Sum, and not being able, with his utmoſt Precaution, then to diſcover any juſt Cauſe why it ſhould not be paid, he did afterwards, in Obedience to thoſe Orders, and according to the Duty of his Place, counterſign a Warrant to the Paymaſter of Her Majeſty's Forces, for the Payment of the ſame, purſuant to which, he believes the ſame was iſſued and received. And as to that Part of the ſaid Article, which charges the ſaid Earl with employing his Arts or Credit to keep the Houſe of Commons

mons from examining that Affair; he begs leave to ſay, That (whatever Suſpicions he might entertain in his own Mind) he did not, upon Examination, find, that there was ſufficient Proof to juſtify the Laying them before either Houſe of Parliament. And altho' he hath been inform'd, that the Papers relating to that Expedition were laid before the Laſt, and have been all along in the Power of the preſent Houſe of Commons, yet he hath not heard, that any Fraud hath been made out in that Affair, notwithſtanding the Gentlemen who had them under their Inſpection, neither wanted Ability to make the utmoſt Diſcoveries, nor could be ſuppoſed to be prevented therein, by any Influence of the ſaid Earl; and he hopes it will not be imputed to him as a Fault, if he had us'd any Skill or Credit to keep the Houſe of Commons from examining this Affair, at that Juncture, when, by an unſeaſonable Inquiry, before a proper Proof could be had, the Fraud, if any ſuch there were, would be likely for ever to eſcape unpuniſh'd. But the ſaid Earl denies, that he ever exerciſed or had any Arbitrary Power or Influence, either in Her Majeſty's Private Council, or the Great Council of the Nation, or entertained any Deſign to prevent the Juſtice due to the Queen or the Nation, or that any Diſcovery had been made to him, further than what might give Suſpicion to one who was always jealous (as became him) of any Miſapplication of the Publick Treaſure. And the ſaid Earl ſaith, That he is not conſcious, that, by any Letter, or Memorial to Her Majeſty, he had acted contrary to his Duty: But humbly hopes he may be allow'd to obſerve, that it would be a Matter of particular Hardſhip, and what ſeems to him inconſiſtent with the Rules of Honour and Decency, if the moſt ſecret and intimate Papers and Letters, wrote to that moſt renowned and pious Princeſs, Her Late Majeſty, by her own ſpecial Command, and for her own private Peruſal, ſhould be imputed to any as a Crime; and if any Quotation from any ſuch Letter or Paper, could be alledged againſt the ſaid Earl, he doubts not but there might appear, from other of Her Majeſty's private Papers, what would juſtify him in many Particulars, wherewith he is charged, and would give further Proof (if it were needful) how tender and affectionate Her Majeſty was to all her Subjects.

In Anſwer to the Second Additional Article.

The ſaid Earl doth admit, That about *October* 1711, Her late Majeſty did ſign a Warrant directed to him, then her Treaſurer of *Great Britain*, for the iſſuing and payment of the Sum of 13,000 *l.* to *John Drummond*, Eſq; in the Article named; and that on or about the 24th of *November* following, in purſuance of the ſaid Warrant, under her Majeſty's Sign Manual, he the ſaid Earl did Sign a Warrant for the payment of the ſaid 13,000 *l.* but for more Certainty begs leave to refer to the ſaid ſeveral Warrants, when the ſame ſhall be produc'd: And the ſaid Earl takes the Words [*for Special Services of the War*] to have been inſerted by Miſtake of the Clerks; for he abſolutely denies, That he gave any Direction for thoſe Words, or any other of like Import, to be inſerted: And he believes all the Clerks of the Treaſury know, that the Monies which aroſe from the Sale of Tin, was the Queen's proper Money, for the Support of her Houſhold, and ſuch Occaſions as ſhe ſhould pleaſe to direct, and not appropriated to the Services of the War, altho' ſometimes it hath been practis'd, that Loans have been taken upon Tin-Tallies, for the Services of the War, and other publick Services, and afterwards repaid to the Civil Liſt, which might poſſibly give occaſion for ſuch Miſtake. And the ſaid Earl ſaith, That having been acquainted with the Services the ſaid Mr. *Drummond* had perform'd, by Order of the late Earl of *Godolphin*, in borrowing Money upon Tin at a low Intereſt, the ſaid Earl ask'd Mr. *Drummond*'s Conſent, that a Sum in Tin-Tallies might be ſtruck in his Name, and with ſuch Conſent did direct, that Orders amounting to the Sum of 13,000 *l.* ſhould be charged in the Regiſter of the Exchequer, on the Monies ariſing by the Sale of Tin, in the Name of the ſaid Mr. *Drummond*, who afterwards, before his going to *Holland*, endors'd, the ſaid Orders at the ſaid Earl's Requeſt, and left them in the Treaſury; but how long it was before the ſaid Orders were endors'd, or how long they remain'd afterwards in the Treaſury, the ſaid Earl doth not particularly remember; but doth acknowledge, that the ſaid Orders and Tallies came afterwards to his own Hands, and were diſpos'd for his own Uſe. But in order to lay the true State of this Affair before your Lordſhips, The ſaid Earl humbly repreſents, that upon attending the late Queen, after his being wounded, her Majeſty had the Goodneſs to tell

him

him, That ſhe deſign'd him a Sum of Money: Upon which he repreſented to her Majeſty the bad Condition of her Civil Liſt. But ſeveral times after her Majeſty ask'd him, why he did not find a way for receiving the Money ſhe intended him, and bring the neceſſary Warrants for that purpoſe? He ſtill urg'd the ſame Reaſon againſt it, and for near Six Months made no Step in it, 'till at laſt her Majeſty was pleas'd to ſay, She was reſolv'd to have it done. And as her Majeſty had, in matters of her Bounty, made uſe of Tin-Tallies for other Perſons, ſhe was pleas'd to mention the ſame her ſelf, and order'd proper Warrants to be prepar'd for the Sum, which her Majeſty of her Royal Bounty intended him: That after her Majeſty had ſo poſitively ſignify'd her Royal Pleaſure, to beſtow ſuch a mark of her Favour upon the ſaid Earl, the ſaid Tallies and Orders were ſtruck in Mr. *Drummond's* Name, with her Majeſty's Knowledge, and at the ſaid Earl's Nomination; and from that time the ſame were kept under the ſaid Earl's Direction, for his Uſe. And the ſaid Earl was adviſed, that nothing further was requiſite to be done, after the Aſſignment of the ſaid Mr. *Drummond*, for ſecuring the ſaid Earl's Intereſt in the ſaid Tallies, 'till an Accident happened, which made it neceſſary for further Security, to have the ſaid Warrant as a Declaration of Truſt, which was accordingly Sign'd by her Majeſty, and is to the Effect following.

ANNE *R.*

WHEREAS in the Year of Our Lord One Thouſand Seven Hundred and Eleven, in Conſideration of the many good, faithful, and acceptable Services which before that time had been performed unto Us, by Our Right Truſty and Right Well beloved Couſin and Counſellor, Robert *Earl of* Oxford *(then and now our High Treaſurer of* Great Britain*;) Which Services have tended to the Quiet, Safety, and Proſperity of us and Our Realms, though the ſame were Accompanied with great Difficulties upon himſelf, and Hazards to Him and his Family. And particularly Reflecting upon the Impious Attempt made upon his Life: We did then fully Reſolve, as a particular Mark of our Favour, and of Our Gracious Acceptance of the ſaid Earl's Services, to beſtow upon him a Sum in ready Money. But the ſaid Earl repreſenting to us, That the Arrears then due to Our Servants and Tradeſmen, chargeable upon Our Civil Liſt, were very great and preſſing.*

We

We did therefore Agree and Determine, That the ſaid Earl ſhould have to his own Uſe, the ſeveral Sums amounting to Thirteen Thouſand Pounds, comprized in certain Orders of Loan bearing date on, or about the Eleventh Day of December *1711, in your Name, and Charg'd upon the Regiſter in Our Exchequer on the Monies ariſing by Sale of Our Tin, which Orders are not yet in Courſe of Payment.*

Now we do hereby declare and make known, That the ſaid ſeveral Sums amounting to Thirteen Thouſand Pounds, contained in the ſaid Orders, and the Intereſt thereof, due and to be due, are, and ſhall be the proper Monies of the ſaid Earl of Oxford.

And We do hereby Direct and Authorize You to Transfer and Aſſign the ſaid Orders, and the whole Right and Benefit thereof to the ſaid Earl and his Aſſigns, or to ſuch Perſon or Perſons as he ſhall appoint in that behalf. And in caſe any the Monies due, or to be due, or payable upon the ſaid Orders ſhall come to your Hands; In ſuch Caſe Our Pleaſure is, that you forthwith pay over the ſame to the ſaid Earl, his Executors, Adminiſtrators, or Aſſigns, to his and their own Uſe and Behoof, without any Account to be therefore rendred to Us, Our Heirs, or Succeſſors. And this Our Warrant, or an Atteſted Copy thereof, ſhall be your ſufficient Warrant and Diſcharge for ſo doing.

Given at Our Court at *Windſor-Caſtle* the Fourteenth Day of *December*, in the Twelfth Year of Our Reign, *Ann. Dom.* 1713.

To Our Truſty and Well-beloved
John Drummond *Eſq;*

And the ſaid Earl believes the ſaid Warrant was drawn by Mr. *Lowndes*, Secretary to the Treaſury, and by what means the ſame was omitted to be Entred in the Treaſury, he knows not; but upon hearing there was a Diſcourſe about the ſaid 13000 *l.* in Tin Tallies, he ſent a Copy of the ſaid Warrant to the Officers of the Treaſury, without ſignifying any Deſire to have the ſame Entred, well-knowing it receiv'd its Authority from the Sign Manual, which wanted no additional force from an Entry thereof in the Treaſury Books. And the ſaid Earl ſaith, That her Majeſty was pleas'd of Her mere Goodneſs and Bounty, and of her own free Will to give him the ſaid Sum of Money, in Reward of his faithful Services, and for his Sufferings in Her Ser-

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vice. And the ſaid Earl ſaith, That the ſaid Grant, according to the Diſcount upon thoſe Tallies at that time, amounted to the Sum of 10,000 *l.* or thereabouts, wherein he acknowledgeth the great Bounty of her Majeſty, and takes notice, That Grants much larger have been made from the Crown, to other Miniſters of State, while the Neceſſities of the Crown have been equally preſſing. And the ſaid Earl doth not know that in this, or any other part of his Adminiſtration, he ever was guilty of any Corruption, or any Breach of his Oath or Truſt as High Treaſurer of *Great Britain*; or that he did in any manner abuſe her Majeſty's Goodneſs, or make an ill Uſe of his acceſs to her Majeſty, or embezzle the publick Treaſure; or did at any time, knowingly injure or oppreſs her Majeſty's Subjects, but on the contrary the ſaid Earl ſaith, That he manag'd the publick Money in the moſt frugal manner, in order to leſſen, as much as might be, the Charge of the War; and to Eaſe, if he could, the Commons of *Great Britain* from all grievous Taxes. And in further Vindication of himſelf, againſt all the imputation of Avarice or Corruption inſinuated in this Article, the ſaid Earl ſaith, That in every employment, to which he was called by her Majeſty's Favour, he was always contented with the accuſtomed Incomes and Profits of the ſaid employment, without endeavouring to increaſe his Gain by any unwarrantable or extraordinary Perquiſites; That whilſt he was in any Office of Truſt about her late Majeſty, he never abuſed that Truſt in making any manner of Profit or Advantage to himſelf, either by the Diſpoſal of Places in his own Gift, or by the Recommendation of Perſons to her Majeſty for ſuch as were granted immediately by Herſelf; That neither in, nor out of Place, did he ever receive any Penſion from the Crown; That as he came with clean Hands into her Majeſty's Service, ſo went not only with clean but almoſt empty Hands out of it, having ſpent therein moſt part of the Profits which accru'd to him from the Places he enjoy'd; ſo that at this time, notwithſtanding all the Advantages he receiv'd from them, and the extraordinary Bounty of the Queen to him, in this Article mentioned, he can, with great Truth affirm, that his private Fortune hath thereby receiv'd very inconſiderable Addition.

Anſwer

Anſwer to the Third Additional Artiele.

In Anſwer to the Third Additional Article, the ſaid Earl ſays, that *Matthew Prior*, Eſq; being employed by Her late Majeſty at the Court of *France*, Warrants were ſign'd in the uſual Form for Payment of ſeveral Sums of Money to the ſaid Mr. *Prior*, which he believes from the 27th of *Auguſt* 1712. to the 10th of *July* 1714. might amount to the Sum of Twelve Thouſand three hundred and ſixty Pounds, as in the ſaid Article is ſet forth; And he believes he did pay, or cauſe to be paid at ſeveral Times the ſaid Sums, purſuant to the Authority he had from Her late Majeſty for that purpoſe, which he conceives was not only lawful, but a Duty incumbent on him. He further ſaith, That he doth not know that by any Law there ought to be certain Appointments or Allowances for the Maintenance and Support of Embaſſadors, Envoys, Plenipotentiaries, or other Publick Miniſters of the Crown in foreign Courts; But that Her Majeſty was at Liberty to vary ſuch Appointments, and the manner of paying them, as She in Her Wiſdom ſhould think fit, out of any Funds appropriated to the Civil Liſt. He does believe, that there are ſeveral Inſtances, where Perſons employed to negotiate Matters of Importance, as Ambaſſadors or Plenipotentiaries, have been allowed One thouſand Five Hundred Pounds for their Equipage; One Hundred Pounds a Week for their ordinary Entertainment, and One thouſand ſix hundred Pounds for Extraordinaries, and likewiſe further Sums for Services perform'd by ſpecial Order: And if the ſaid Mr. *Prior* had been paid upon that Foot, he would have been entitled to a greater Sum from the Crown for the time wherein he was employ'd by Her Majeſty, as aforeſaid, over and above all Diſburſements for ſpecial Services. And the ſaid Earl ſaith, that he takes the ſaid *Matthew Prior* to have been ſent by Her Majeſty into *France* for Her Majeſty's Service, and in order to carry on the Negotiations of a General Peace; but denies, that he was any Creature of the ſaid Earl, or ſent by the ſaid Earl into *France*, or that he carry'd on any Negotiations of the ſaid Earl, or that Her Majeſty was prevailed on by his Councils to ſend the ſaid *Matthew Prior* as Her Plenipotentiary to the *French* King, without the Privity of or any Communication with Her Allies, or that the ſaid Earl uſed the leaſt Contrivance

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for carrying on, or did carry on or promote any dangerous Practices with the Miniſters of *France*, or the Enemies of Her Majeſty or Her Kingdoms, or that he did at any time combine with the ſaid *Matthew Prior* to defraud Her Majeſty of any Sum of Money whatſoever, under Colour of his Employment; or that the ſaid *Matthew Prior* was ſent into *France* with the Character aforeſaid, or without any ſettled Appointment or Allowance for any ſuch End, or that he the ſaid Earl did give the ſaid *Matthew Prior* an unlimited Credit, or promiſed to pay him any Bills whatſoever, other than what he ſhould be duly authorized to pay; or that any Bills of Exchange, in the ſaid Article mentioned, were drawn in purſuance of any ſuch Contrivance. The ſaid Earl ſaith, that *Thomas Harley*, Eſq; having been twice ſent by Her late Majeſty to the Court of *Hanover*, he the ſaid Earl being then High Treaſurer of *Great Britain*, paid or cauſed to be paid to the ſaid Mr. *Harley* the Sum of Five thouſand five hundred and ſixty Pounds, or thereabonts, by Authority from Her Majeſty, and according to the Duty of his Office, out of Monies appropriated to the Uſe of the Civil Liſt. And he believes, that if Mr. *Harley* had received an Allowance in Proportion to what hath been paid to Ambaſſadors, it would have amounted to a greater Sum. But denies, that the ſaid Sum of Five thouſand five hundred and ſixty Pounds, or any Part of it was paid without Authority, or for promoting any wicked Purpoſes of the ſaid Earl, or that he did either illegally or fraudulently iſſue, or direct. or adviſe the Direction or Payment of any Sum or Sums of Money out of Her Majeſty's Treaſury, to any Perſon whatſoever, or that he ever entred into any Combination with the Perſons above-mentioned, or any other Perſon whatſoever, to defraud Her Majeſty of any of the Publick Money which he was entruſted with the Management of.

Anſwer to the Fourth Additional Article.

In Anſwer to the Fourth Additional Article, the ſaid Earl denies, That he ever held any Correſpondence with *Mary*, the late Conſort of the late King *James* II. either by the means of Mr. *Prior*, or by any other means whatſoever, or that he ever intended, or had the leaſt Deſign any way to promote the Intereſt of the *Pretender*; nordoth the ſaid Earl know or believe, that Monſieur *Gaultier*, in the ſaid Article named, was entruſted or employed as an Agent between any

of the Miniſters of *Great Britain* and *France*, in tranſacting any Affairs relating to the *Pretender*; and denies, that he the ſaid Earl had any Conferences with him the ſaid Mr. *Gaultier* on that Subject: Nor doth the ſaid Earl know or believe, that he the ſaid Mr. *Gaultier* was empower'd to Concert with him the ſaid Earl, particularly the ſettling any Payment or Remittance of the Annuities hereafter mention'd, or any other yearly Sum to be paid or remitted out of Her Majeſty's Treaſury into *France*: Neither had the ſaid Earl the leaſt Deſign, that any of the Fruits or Advantages of the Peace ſhould be made an Offering to any Adherent of the *Pretender*; nor did he agree or undertake to procure the Payment of the yearly Sum of Forty ſeven thouſand Pounds, or any other yearly Sum, to the Uſe of the ſaid late Conſort, during her Life. But the ſaid Earl doth admit, that the late King *James* II. by Letters Patents under the Great Seal of *England*, bearing Date on, or about the 28th Day of *Auguſt*, in the Year 1685. granted unto *Lawrence* Earl of *Rocheſter*, *Henry* Earl of *Peterborough*, *Sidney* Lord *Godolphin*, *Robert Worden*, Eſq; and Sir *Edward Herbert*, Kt. (who are all ſince deceaſed) divers Annuities or yearly Sums of Money, amounting to Thirty ſeven thouſand three hundred twenty eight Pounds, thirteen Shillings and ſeven Pence, payable out of the Hereditary Duty of Exciſe, and the Poſt Office, and other Revenues in the ſaid Letters Patents mentioned, to hold to them, and their Heirs, during the Life of the ſaid Conſort, in truſt for her. And by other Letters Pattents, bearing date, on or about the Third Day of *December*, in the Year 1686. alſo granted unto the ſaid Conſort a further Penſion, or yearly Sum of Ten thouſand Pounds, to hold during her natural Life; whereby the ſaid Revenues ariſing from the Hereditary Exciſe and Poſt Office, and other the Revenues in the ſaid Letters Patents mention'd, became charged with, and were liable to the ſaid Annuities or yearly Sums, as in this Article is mention'd. And the ſaid Earl doth admit, that the ſaid Revenues were by ſeveral Acts of Parliament granted and ſettled during the Life of his late Majeſty King *William* the Third, for the Uſe and Service of his Houſhold and Family, and for other his neceſſary Expences and Occations; and after his Demiſe, during the Life of her late Majeſty

jeſty Queen *ANNE*, were appointed to be for the Support of her Houſhold, and of the Honour and Dignity of the Crown; but ſaith, that in the ſame Act of Parliament, whereby the ſaid Revenues are ſo appointed, there is a general Saving to all and every Perſon and Perſons of all ſuch Rights, Titles, Eſtates, Intereſts, Claims and Demands whatſoever, of, in, or to, or out of the ſaid Revenues and Hereditaments, or any of them, as they, or any of them, had, or ought to have had, before the making the ſaid Act, as fully, to all Intents and Purpoſes, as if the ſaid Act had never been made. And the ſaid Earl doth admit, that an Act of Parliament was made in the Twelfth Year of her late Majeſty's Reign, whereby the Sum of Five hundred thouſand Pounds, for the Cauſes therein mentioned, was to be applied (in Aid of the Revenues or Branches which were appointed for the Support of Her Majeſty's Houſhold, and of the Honour and Dignity of the Crown) for, or towards the paying ſuch Arrears of Sallaries, Wages, Diet-money, and other Allowances, and ſuch Debts for Emptions, Proviſions, and other Cauſes as ſhould appear to be due and owing to her Majeſty's Servants, Tradeſmen and others. But the ſaid Earl ſaith, he hath heard, that the ſaid late Conſort of the late King *James* II. eſteeming herſelf to be entitled by the Laws of *England*, by vertue of the ſaid Letters Pattents to the ſeveral yearly Sums of Money therein mention'd, did by Letter of Attorney impower and authorize the ſaid Mr. *Gaultier* to demand and receive for her only Uſe, Benefit and Behoof, all Sums of Money which from and after the Feaſt of the *Annunciation* of the Bleſſed Virgin, 1713, were become due and payable upon the ſaid ſeveral Annuities, amounting to Thirty ſeven thouſand three hundred twenty eight Pounds, thirteen Shillings and ſeven Pence, and the other Annuity or yearly Sum of Ten thouſand Pounds, and to give Acquittances and Diſcharges for the Monies he ſhould ſo receive to her only Uſe and Behoof, as aforeſaid; and that thereupon he the ſaid Mr. *Gaultier* applied himſelf to her Majeſty for the Payment of the Monies which were incurred or grown due on the ſaid ſeveral Annuities, from the ſaid 25th Day of *March* 1713. and that her Majeſty was pleaſed to ſign a Warrant, directed to him the ſaid Earl, being then her Majeſty's High Treaſurer, or to the High Trea-

ſurer, or Commiſſioners of the Treaſury for the Time being, in the Words, or to the Effect in the ſaid Article ſet forth; but for more Certainty refers himſelf to the ſaid Warrant, when the ſame ſhall be produced. And that in Obedience to her Majeſty's Commands, ſignified by the ſaid Warrant, he the ſaid Earl did direct two ſeveral Warrants to the Auditor of the Receipt of the *Exchequer*, to the Effect in the ſaid Article ſet forth; but for more certainty refers to the ſaid ſeveral Warrants when the ſame ſhall be produced. But he denies he adviſed her Majeſty to ſign the ſaid Warrant of the 23d of *December* 1713. but when ſuch Warrant was brought to him, and he knew that the Jointure of the ſaid Conſort had been confirm'd by Act of Parliament, and had heard, that by ſome private Article or Agreement at the Treaty of *Ryſwick*, Proviſion had been made in relation to it; and the Legality of the Demand not being doubted by her Majeſty's Council learned in the Law, the ſaid Earl thought it his Duty to pay Obedience to it. And the Sum of Five hundred thouſand Pounds intended to be raiſed by the ſaid Act of the 12th Year of her Majeſty's Reign, together with a great Additional Sum in Tallies, being deſign'd for diſcharge of her Majeſty's Debts, the ſaid Earl thought himſelf ſufficiently authorized to direct that the ſaid Sum of Money, menti-on'd in the ſaid Warrants, which he was adviſed was a Debt from her Majeſty, ſhould be paid out of the ſaid Five hundred thouſand Pounds; yet the Sum in the ſaid Warrants mention'd, or any part thereof, was not paid out of the ſaid appropriated Sum of Five hundred thouſand Pounds or o-therwiſe; but the whole Sum of Five hundred thouſand Pounds was applied to other Uſes, for which it was appro-priated. And the ſaid Earl humbly hopes, That he hath not hereby betray'd the Honour of her late Majeſty, or the Im-perial Crown of theſe Realms, or acted contrary to his Duty; and the ſaid Earl doth acknowledge, that the ſaid Mr. *Gaultier* coming into *England* with Letters of Credence from the *French* King to her late Majeſty, after having reſi-ded ſometime in *England*, her Majeſty was pleaſed before his Departure hence to direct a Preſent ſhould be made to the ſaid Mr. *Gaultier*, as hath been uſual in like Caſes to publick Miniſters; and he believes her ſaid Majeſty was the rather inclined to make ſuch Preſent to the ſaid Mr. *Gaultier*,

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becauſe the ſaid Earl hath heard, and takes it to be true, that the ſaid *Gaultier* had been inſtrumental with the *French* King, to obtain the Delivery and Releaſe of thoſe poor *Proteſtants*, who had ſuffer'd aboard the Gallies on account of their Religion; whoſe Reſcue from Slavery, Her Majeſty, out of her known Zeal to the *Proteſtant Religion*, and out of her wonted Piety and Compaſſion to the Confeſſors in ſo good a Cauſe, had much at Heart, and had prevailed therein beyond Expectation; it being what, by His Majeſty King *William*, had been attempted in vain, and was thought, by many, impoſſible ever to be obtain'd: And the good Offices of the ſaid *Gaultier*, in that Affair, having been very acceptable to Her Majeſty, ſhe was pleaſed to increaſe his Preſent in reſpect thereof, and therefore order'd it to be paid in the ſame manner as had been done to others, whoſe Preſents Her Majeſty thought fit to augment. And for this end Her Majeſty, about the Time in the Article mention'd, did ſign a Warrant directing the Payment of One Thouſand Pounds Sterling to *Daniel Arthur*, Eſq; in the ſame Article mention'd, to the intent it might be paid to the ſaid Mr. *Gaultier*, on the Account aforeſaid. And the ſaid Earl believes, the ſaid Monies were iſſued and paid accordingly, and doth not apprehend he hath therein acted contrary to his Duty.

Anſwer to the Fifth Additional Article.

In Anſwer to the Fifth Additional Article, the ſaid Earl doth admit the Sovereign of this Realm may refuſe to receive any Natural-born Subject, who hath committed, and is under the Guilt of High Treaſon as a publick Miniſter, or with any Character from any foreign Prince, State, or Potentate: And that where ſuch Perſon is known to be guilty of ſuch Crime, it may, in moſt Caſes, be fit ſo to do. But he the ſaid Earl apprehends, that the Sovereign is the proper Judge whom to refuſe or receive with ſuch Character. The ſaid Earl believes, that a Perſon ſtyling himſelf, or commonly known, by the Name of *Lilcott* or *Lawleſs*, did, about the Year 1712 or 1713, come into *England* with Letters of Credence to Her Majeſty, from the King and Late Queen of *Spain*, and Authority to treat about carrying *Britiſh* Merchandizes to the

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Spaniſh Weſt Indies; and that Her Majeſty was pleaſed to admit ſuch Perſon with ſuch Letters of Credence; and, before his Return to *Spain*, was pleaſed to order, for the Uſe of ſuch Perſon, the Sum of One Thouſand Pounds, to be paid out of the Monies appropriated to the Civil Liſt, which the ſaid Earl, in Obedience to ſuch Orders, cauſed to be paid, and humbly apprehends it was his Duty ſo to do. But the ſaid Earl believes, that when the ſaid *Lilcott* or *Lawleſs* was ſo admitted, he was generally thought to be a natural *Spaniard*, and that, from the Advantages of thoſe Licences which he brought, for carrying the *Britiſh* Merchandizes to the *Weſt Indies*, he expected a much Larger Preſent; however, the ſaid Earl denies, that he knew, or was inform'd, before the Arrival of theſaid *Lawleſs* in *England*, any thing of his Coming hither, nor after his Arrival did he ſee him, or know of his being here, before he had been introduced to Her Majeſty, it being uſual for Publick Miniſters to be introduced by thoſe Servants of Her Majeſty, to whoſe Office it belongs, as Matter of Duty and common Diſpatch, without conſulting therein other Miniſters of State. And upon the Notice taken of this Affair formerly in the Houſe of Peers, it appear'd, that the noble Lord who introduced the ſaid *Lawleſs* to the Queen, by Virtue of his Office, did it as of courſe, and did not then know he was other than a Native of *Spain*. And the ſaid Earl ſaith, That of a long Time after he had been ſo introduced, the ſaid Earl neither knew nor heard that he was other than a natural *Spaniard*; but when the ſaid Perſon had continued in *England* a conſiderable Time, there was a Rumour, and the ſaid Earl was afterwards inform'd, he was a Native of *Ireland*, and departed out of that Kingdom in his Youth, and had ſince been in the *Spaniſh* Service; but doth not know, nor was inform'd, that he had committed or been guilty of High Treaſon, or that he had ſerved the Late King *James* II. in the War in *Ireland*, againſt King *William* III. or had follow'd the ſaid King *James* II. into *France*, or been in his Intereſt or Service, or had been in Rebellion againſt King *William*, or in Arms againſt the Late Queen. And the ſaid Earl having no Notice of the ſaid Perſon's Arrival, before his being admitted to Her Majeſty, nor any Knowledge of any Crime he was guilty of, ſubmits whether it ſhall be imputed to him as any Want of Duty, that he did not adviſe Her Majeſty

jeſty againſt admitting or receiving him in the Character aforeſaid, or that he did, by Her Majeſty's Authority, meet, conſer, or negotiate with him, concerning any Affairs about which he was authoriz'd to treat (in caſe he had ſo done, which however the ſaid Earl doth not admit) or that, by Authority from Her Majeſty, he paid the ſaid Sum of One Thouſand Pounds to the ſaid *Daniel Arthur*, which after came to his Uſe. But the ſaid Earl doth deny, that he adviſed Her Majeſty to ſign the Warrant for Payment of the ſaid One Thouſand Pounds, or gave any Directions for Payment thereof, contrary to what was intended by Her Majeſty. And the ſaid Earl admits, that ſome other Sums of Moneys (which might amount in the whole to Nine Hundred and Fifteen Pounds, or thereabouts) were paid in Satisfaction of Monies advanced to the ſaid *Lawleſs*, as part of the Monies agreed to be advanced to *His Catholick Majeſty* by the *Aſſiento-Contract*; but denies, that he directed the Payment of any other Monies whatſoever out of Her Majeſty's Treaſury, to the ſaid *Lileſh alias Lawleſs*, or knows that any other Monies were paid to him, beſide the aforemention'd Sum of One Thouſand Pounds, and the Monies paid in Satisfaction of what was advanced to him towards the Part due to *His Catholick Majeſty*, by the ſaid *Aſſiento-Contract*. And the ſaid Earl never aſſumed the Supreme Direction in Her Majeſty's Councils, neither was he adviſing, that the ſaid Perſon ſhould be introduced to Her Majeſty, or ſhould be received or treated by her Miniſters, under the diſguiſed Name of *Don Carlo Moro*, or ſhould at all be received as a publick Miniſter here. And the ſaid Earl doth acknowledge, that the Houſe of Lords, with Commendable Zeal, made ſuch Addreſs, and came to ſuch Reſolution, and that Her Majeſty made ſuch Anſwer, and iſſued ſuch Proclamation, as in the ſaid Article is mention'd. And as the ſaid Earl had always the higheſt Regard to the Safety of Her Majeſty's Perſon, the Security of the *Proteſtant Succeſſion*, and Advice and Reſolution of the Houſe of Peers; ſo he denies, that he had the leaſt Knowledge, that the ſaid *Liliſh alias Lawleſs* had ever been Miniſter or Agent of the *Pretender* at the Court of *Madrid*, or the leaſt Suſpicion that he was ſent into *England* to promote the Intereſt of the *Pretender* in theſe Kingdoms; nor is he conſcious to himſelf, that he hath done any thing to

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expoſe the Perſon of Her Moſt Sacred Majeſty, to enervate or render ineffectual the Advice of Parliament, or Her Majeſty's Declarations, to countenance any Emiſſary of the *Pretender*, or encourage his Adherents, to the Danger of the *Proteſtant Succeſſion* as by Law eſtabliſh'd in the Serene Houſe of *Hanover*; but, on the contrary is perſuaded his Conduct in that Affair is ſo well known, as not to need any farther Juſtification: But if it ſhould at any Time be thought neceſſary, he is able to produce thoſe Proofs of it, which are the Beſt Authority in the World for his Vindication.

Anſwer to the Sixth Additional Article.

In Anſwer to the Sixth Additional Article, the ſaid Earl hath been inform'd, and doth believe it may be true, that after ſeveral unſucceſsful Attempts by Her Late Majeſty, in Conjunction with her Allies, to eſtabliſh His preſent Imperial Majeſty upon the Throne of *Spain*, Inſtructions in Writing were given to *Mitford Crow*, Eſq; about the 7th Day of *March*, 1705, taking notice that Her Majeſty had been inform'd, the People of *Catalonia* were inclin'd to caſt off the Yoke impos'd on them by the *French*, and to return to the Obedience of the Houſe of *Auſtria*; and that Her Majeſty, deſiring to maintain and improve that good Diſpoſition in them, and to induce them to put the ſame ſpeedily in execution, had made choice of him to carry on ſo great a Work, for the Advantage of her Service and the Good of the common Cauſe, as was the Making a Treaty with the *Catalans*, or any other People of *Spain*, for the Purpoſes aforeſaid; and that the ſaid *Mitford Crow* was thereby impower'd to give the *Catalans*, or other *Spaniards*, Aſſurances of Her Majeſty's utmoſt Endeavours to procure the Eſtabliſhment of all ſuch Rights and Immunities, as they enjoy'd formerly under the Houſe of *Auſtria* and the Confirmation of ſuch Titles as had been conferr'd on any of them by the Duke of *Anjou*: And that for their further Satisfaction, Her Majeſty had ſent to King *Charles* III. for Powers for confirming the ſame to them, and was willing, if they inſiſted on it, to become Guarantee that it ſhould be done. And the ſaid Earl hath been likewiſe inform'd, That Her Majeſty, in a Commiſſion granted to the ſaid *Mitford Crow*, expreſſed, *That ſhe thought fit to enter into a Treaty with the Principality of* Catalonia, *or any other Province of* Spain, *on Condition they would acknowledge and receive* Charles *the Third*,

Third, as lawful King of Spain, *and utterly abdicate the Houſe of* Bourbon, *and join their Forces with Her Majeſty's.* And that Her Majeſty was pleas'd alſo to ſign and deliver to the ſaid *Mitford Crow*, Credential Letters, directed to the Nobility, Magiſtracy, and other Officers of *Catalonia*, or any other Province of *Spain*, deſiring them to give Faith to every thing the ſaid *Mitford Crow* ſhould tell them in Her Majeſty's Name: And that Inſtructions were likewiſe given to the Earl of *Peterborough* and Sir *Cloudeſly Shovel*, about the Time, and to the effect in the ſaid Article mentioned; and that a Manifeſto or Declaration was afterwards publiſhed, by the ſaid Earl of *Peterborough*, to the effect in the ſaid Article ſet forth; but the ſaid Earl denies, that ſuch Manifeſto or Declaration was prepared by his Advice or Privity. And the ſaid Earl believes it may be true, that ſome part of the Nobility, Gentry, and Inhabitants of the Principality of *Catalonia*, and alſo of the Inhabitants of the Iſland of *Majorca*, did afterwards acknowledge King *Charles* the Third (now Emperor) for their lawful Sovereign, and did join their Arms with thoſe of Her Majeſty and her Allies, againſt the preſent King of *Spain*; but by what Motives they were induc'd thereunto the ſaid Earl does not know. And the ſaid Earl does acknowledge, That, for ſome time, the Arms of Her Majeſty and her Allies in *Spain*, were attended with conſiderable Succeſſes, in which the Bravery of the *Catalans* appear'd, and the Forces of the Confederates twice enter'd the Capital City of that Kingdom; by which ſignal Conqueſts, and the great Supplies that have been granted by Parliament, for their Aſſiſtance, the ſaid People were under the higheſt Obligations of Gratitude to Her Majeſty; but the Advantages thoſe Succeſſes had given King *Charles* the Third, being loſt, Her Majeſty found the Burthen of that War very heavy to her Subjects, the Conqueſt of *Spain*, for the preſent Emperor, impracticable, and, after the Acceſſion of the Empire and Deſcent of the Hereditary Countries to him, eſteem'd inconſiſtent with the Intereſts of many of her Allies; and therefore thought it neceſſary, for the Good of her People, and the Tranquility of *Europe*, to enter into Negotiations for a General Peace. But the ſaid Earl denies, That he enter'd into any Conſpiracy for ſubjecting the *Spaniſh* Monarchy to the Houſe of *Bourbon*, or ever had the leaſt Deſign of the Ruin or De-

ſtruction of any of the Rights, Liberties, or Privileges of the *Catalans*; or that he ever formed any Contrivance for abandoning them to the Fury or Revenge of the Duke of *Anjou*, or his Adherents; or for the Extirpation of any of their Rights, Liberties, or Privileges; or that he adviſ'd Her Majeſty to give Directions to the Lord *Lexington* to acknowledge the Duke of *Anjou* King of *Spain*, before any Negotiation of Peace was ſet on foot in due Form of Law, between the Crowns of *Great Britain* and *Spain*. On the contrary the ſaid Earl ſaith, That, by Letters and Papers ſent by One of Her Majeſty's Principal Secretaries of State to the Lord *Lexington*, it will appear, that after Her Majeſty had hearken'd to the Propoſals for a General Peace, for the Good of her own People and her Allies, ſhe us'd her beſt Endeavours for obtaining the Liberties of the *Catalans*, at the Concluſion of the Peace, and that His Lordſhip was directed peremptorily and abſolutely to inſiſt thereon: Nor doth the ſaid Earl know or believe, that any Orders were ever ſent from, or given by Her Majeſty, to any of her Miniſters, to recede from that Demand; or that the ſaid Lord *Lexington* ever deſiſted from making the utmoſt Efforts he could for obtaining it. And if, from any Meaſures of the *Catalans*, or of His Imperial Majeſty, or from any other Cauſe, Her Majeſty's Endeavours had not their full effect, the ſaid Earl conceives it cannot be imputed to any Neglect of Her Majeſty, or any Want of Duty in him the ſaid Earl. He believes, That about the Time in the ſaid Article mentioned, His Imperial Majeſty did enter into a Convention or Agreement for evacuating *Catalonia*; and that Her Majeſty, out of Inclination to perform her beſt Offices to the Emperor, was prevail'd on to become one of the Guarantees thereof; but denies, That His Imperial Majeſty was neceſſitated, by any Practices of the ſaid Earl, to make any ſuch Convention, and is ignorant for what Cauſes His Imperial Majeſty, whom it moſt concerned, omitted, in ſuch Convention, to make expreſs and poſitive Stipulations for the Liberties of the *Catalans*. If it proceeded from any Dependance upon the Declaration of Her Majeſty, to interpoſe her beſt Offices on their behalf, and the Promiſes of the *French* King to join his Endeavours therein; he is confident it will appear, Her Majeſty's beſt Offices were employ'd in that Affair, when it is conſider'd, what repeated

Inſtances

Inſtances ſhe made by her Miniſters, and in the moſt pathetick manner, to obtain for them the Privileges they deſir'd. And that Her Majeſty, by her earneſt Interpoſition, did obtain a Grant and Confirmation to all the Inhabitants of *Catalonia*, of a perpetual Amneſty and Oblivion of all that was done in the Late War, the full Poſſeſſion of all their Eſtates and Honours, and a farther Grant of all their Privileges, which the Inhabitants of Both *Caſtiles*, who, of all the *Spaniards*, were moſt dear to the King of *Spain*, enjoy'd, or might at any Time after have, or enjoy; whereby the *Catalans*, if they obtain'd not all the ancient Privileges they pretended to, receiv'd however, in Compenſation thereof, the Advantage of trading directly to the *Weſt Indies*, and other Privileges, to which they were never before intitled. And the Houſe of Peers, upon Conſideration of ſeveral Papers laid before them, relating to this Affair, in purſuance of their Addreſs to Her Majeſty in that behalf, expreſs'd their utmoſt Thankfulneſs and Satisfaction for Her Majeſty's repeated and earneſt Endeavours for preſerving to the *Catalans* the full Enjoyment of all their juſt and ancient Liberties. And it is probable Her Majeſty had prevail'd to obtain for them their ancient Privileges and Liberties, in the largeſt Extent, if they had waited the Event of her gracious Interpoſitions in their Favour, and not determined to carry on the War by themſelves, againſt King *Philip*, after the Emperor had ſign'd the Convention for evacuating their Country; which incens'd the King of *Spain* in the higheſt degree, and was look'd upon by him as the moſt obſtinate Rebellion. However, the ſaid Earl ſaith, He never amus'd the *Catalans* with any Expectations whatſoever, nor in any degree contributed to engage them in any obſtinate Defence againſt the Duke of *Anjou*; nor adviſ'd Her Majeſty to conclude a Peace with *Spain*, without Security for the ancient Rights, Liberties, and Privileges of that People; or to ſend Sir *James Wiſhart* with a Squadron of Men of War, for the Purpoſes in the ſaid Article mention'd; but believes Her Majeſty might think her ſelf oblig'd, by being Guaranty to the ſaid Convention for the evacuating of *Catalonia*, to ſend the ſaid Sir *James Wiſhart* into the *Mediterranean*, with a Squadron of Men of War, altho' he knows not the Orders or Inſtructions given on that Occaſion; and humbly appreh nds,

that he cannot, in Juſtice, be charged with any Conſequences from that unhappy People's Refuſal to comply in their Submiſſion to the King of *Spain*, upon the Terms Her Majeſty had ſtipulated for them.

CONCLUSION.

THUS the ſaid Earl has laid his Caſe before Your Lordſhips, wherein he hopes he has fully anſwer'd the ſeveral Articles exhibited againſt him; yet leſt there ſhould be any Omiſſion in his Anſwer, which may be made uſe of to his Prejudice, he ſays, He is not guilty of all, or any the Matters contain'd in the ſaid Articles, or any of them, in Manner and Form as they are therein charged againſt him: And humbly hopes that Your Lordſhips will excuſe any Imperfections or Defects in the ſaid Anſwer, with regard to Expreſſion or Form; and impute whatever of that Kind may appear, to the great Weakneſs of Body, and ill State of Health, which the ſaid Earl now labours, and hath for ſome Months paſt labour'd under: And that Your Lordſhips will be induc'd to make all further Due Allowances in his Favour, from the following Conſiderations, which relate to the Nature of the Charge in general, and the Difficulties with which his Defence of himſelf, againſt the Particulars contain'd in that Charge, is, and muſt be attended. Moſt of the Articles with which he ſtands charg'd, relate entirely to the Negotiations of the Peace lately concluded at *Utrecht*; he doubts not but Your Lordſhips will conſider, that he muſt of neceſſity be under great Difficulties, in giving a full and particular Account of ſuch a great Variety of Facts as are contain'd in theſe Articles; that ſeveral of thoſe Facts concern Tranſactions with the Miniſters of Foreign States, who cannot be produced as Witneſſes in his Defence, be their Teſtimony never ſo material; that many Steps and Proceedings in an Affair of this Nature, where the Intereſts of ſeveral Parties, not only ſeparate from, but ſome of them alſo contrary to each other, are to be adjuſted, do require great Secrecy and Addreſs in the Management. And that in Treaties between Enemies, ſuch Terms are often propoſed, and ſuch Arguments uſed, as carry a Different Appearance from the real Intentions of thoſe that treat: Upon which Accounts it muſt be very difficult to ſet every thing that paſt in the Late Negotiations, with regard to the Enemy, and to the Allies, in a clear Light, and to juſtify

juſtify every Step that was taken towards conducting them to the End propoſed, eſpecially ſince the Account of thoſe Tranſactions, and of the Reaſons on which they were founded, cannot, as he conceives, be duely cleared, but by inſpecting the entire Series of Letters and Papers which paſs'd during the Continuance of thoſe Tranſactions, and by comparing together ſuch Paſſages in them, as might give Light to each other, and to the whole. All which Letters and Papers are (as he is inform'd) now in the Poſſeſſion of the Honourable Houſe of Commons; nor was it thought fit, upon his humble Application to Your Lordſhips, that he ſhould be indulged with a Copy of any of them. He hopes that it may not misbecome him, on this Occaſion, to obſerve to Your Lordſhips, that the Houſe of Commons, by being poſſeſſed of thoſe Papers, have a fuller View of the whole Progreſs, and of all the ſecret Steps of that Negotiation, than perhaps was ever, in the like Caſe, imparted to any Houſe of Parliament; and they have therefore all the Advantage poſſible towards forming the Charge againſt him upon the Articles of his Impeachment; whereas he (the ſaid Earl) being deſtitute of all Aſſiſtance from thoſe Papers, is under great and particular Diſadvantages towards making his Defence, in the Points whereof he there ſtands accuſed; and he is therefore humbly aſſur'd, that as Your Lordſhips, on the one ſide, will not expect from him any ſuch Proofs of his Innocence, as can only be drawn from a Peruſal of thoſe Papers; ſo, on the other, you will not admit of all, or any of thoſe Articles, as made good againſt him, unleſs the Accuſations therein contain'd, be ſupported by the Cleareſt and moſt Unqueſtionable Evidence, of which the Nature of the Facts is capable. He ſubmits it likewiſe to Your Lordſhips Conſideration, whether, in a Negotiation drawn out into a great Length, where the Advice of all thoſe in High Truſt about Her Majeſty was to be taken, and where ſeveral Perſons were to be intruſted with the Management of what was agreed upon, he can, with any Colour of Equity, be made anſwerable for adviſing and conducting the whole? He deſires alſo farther to obſerve, that every thing with which he is charged, was done in the Reign of a gracious Princeſs, now deceas'd, who, by reaſon of the perfect Knowledge ſhe had of the ill State of Affairs at home, of the Advances made towards Peace from abroad, and of the Com-

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mands which ſhe at ſeveral Times laid on her Servants, ſhad been the beſt, and indeed could be the only competent Judge, whether ſhe was fraudulently dealt with, led, by ill Advice, into Meaſures which ſhe did not direct and approve, or made any Inſtrument of ſacrificing the Intereſts of her Kingdoms to the Enemy. It is with great Grief that he finds ſuch things ſuggeſted, as ſeem to lay a Stain upon the Character of ſo excellent a QUEEN, whoſe Memory, he is confident, will be for ever dear to this Country. And therefore he takes leave, in the moſt ſolemn manner, to aſſure Your Lordſhips, that as far as he knows, or can remember, every thing relating to the Tranſactions of Peace, was communicated to Her Late Majeſty, and maturely conſider'd by her, before any thing was determin'd thereupon, nor was any Step taken, but in purſuance of ſuch Determination. As to the Peace in general, he the ſaid Earl thinks he has very good Reaſon to ſay, That the Queen had nothing more at Heart, than to procure ſo great a Bleſſing for her People; and that when it was obtain'd, ſhe had this Satisfaction in her ſelf, that ſhe had taken the moſt proper Meaſures to juſtify her Conduct, both toward her Allies and toward her own Subjects: For upon a Review of Her Majeſty's whole Proceeding, in relation to War and Peace, he believes it will appear, and hath in part appear'd, by the Anſwer of the ſaid Earl to the ſaid Articles, that as Her Majeſty enter'd further into the War than ſhe was oblig'd by any Treaties, ſubſiſting at the Time of her Acceſſion to the Throne, ſo ſhe contributed more Men and Money towards carrying it on afterwards, than ſhe was engag'd to provide by any ſubſequent Treaties. That her earneſt Deſires of Peace being twice fruſtrated, when ſuch Conditions might have been obtain'd, as would have fully anſwer'd the Ends for which the War was at firſt declar'd: That all our Succeſſes and Victories ending in the annual Increaſe of the Charge of *England*, without any further Aſſiſtance from her Allies; and her Kingdoms being exhauſted to ſuch a Degree (notwithſtanding the great Advantages obtain'd by her Arms) that ſhe was not able to continue the War upon the Foot it then ſtood, one Year longer; whilſt her Allies refus'd to continue it upon thoſe equal Conditions, to which they were by Treaties oblig'd: She was at laſt conſtrain'd, in Compaſſion to her People, to hearken to

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the Overtures of Peace then made her from *France*, without relying farther on the vain Hopes of gaining more Advantageous Terms, by protracting the War a Year longer: She had carry'd it on for ſome Time under that Proſpect, without reaping the Benefits propoſed, even at Junctures that ſeem'd moſt favourable to her Demands, and to the Pretenſions of her Allies; ſhe had indeed, by that means, rais'd the Glory of her Arms, but ſhe could not think this a ſufficient Recompence for the increaſing Miſeries of her People, and therefore reſolv'd to lay hold of the Opportunity that offer'd to her, of ending the War by a Peace, if it might be obtain'd upon Terms every way Juſt, Safe, and Honourable; and thoſe who were then employ'd in Her Majeſty's Councils, thought themſelves oblig'd to ſecond her good Intentions in this Caſe, and to obey her Commands with all Readineſs. The ſaid Earl preſumes, on this Occaſion, to mention the Saying of as Wiſe a Man, and as Great a General, as the Laſt Age produced, the Duke of *Parma*, when *France* was in a far Lower Condition than now, being almoſt equally divided between Two contending Parties, and *Spain* was at the Heigth of its Glory, and he himſelf at the Head of a *Spaniſh* Army, ſupporting One of thoſe Parties, after *Paris* it ſelf had been beſieg'd by the Other, it was his Opinion (and the Advice he gave to His Majeſty, the King of *Spain*, was grounded upon it) *That if* France *were to be got only by reducing its Towns, the World would be ſooner at an End than ſuch a War.* The Queen ſeem'd, at this Time, with better Reaſon to frame the like Judgment; and it was therefore her Pleaſure, and a great Inſtance (as the ſaid Earl conceives) of her Wiſdom and Goodneſs, to think of ſecuring a Peace while ſhe ſeem'd able to carry on the War, her Armies being full and numerous, and before the Exhauſted Condition of her Kingdoms, and the Impoſſibility, on her Side, of maintaining ſo diſproportioned an Expence, was diſcover'd by her Enemies. At this Juncture the Queen enter'd upon a Negotiation of Peace, with Circumſtances of great Honour to her ſelf, *France* applying to her firſt on this Account, previouſly owning her Title, and acknowledging the Right of the *Proteſtant Succeſſion*, two Chief Grounds upon which the Declaration of the Laſt War was built. As to the Allies, it was conducted in the ſame manner as all Treaties of Peace in Conſederacies

ſederacies have ever been, and according to the known Laws of Nations in ſuch Caſes; the Firſt Motion, and the ſeveral Steps of it, as faſt as they ripen'd into Propoſals fit for Conſideration, being, without Delay, communicated to the *States General*. By the Terms of this Peace, as all Reaſonable Satisfaction and Security, due to any of the Allies, by Treaty, were obtain'd for them by the Queen, and their Juſt Pretenſions effectually ſupported; ſo larger Advantages were actually procur'd for *Great Britain* in particular, than ever had been demanded before, in any Treaty and Negotiation between this and any other Foreign State. The ſaid Earl craves Leave, on this Occaſion, to appeal to Your Lordſhips, whether all the Ends for which the War was enter'd into, have not, by this Treaty, been fully attain'd? Whether it does not appear by the Beſt of Proofs, Experience, that the Kingdoms of *France* and *Spain*, are, by the Conventions of this Treaty, moſt effectually ſeparated? And whether any other Expedient could have been ſo ſucceſsful to this Purpoſe, as that whereby it is now happily brought about? Whether the Ballance of Power in *Europe* be not now upon a better Foot than it has been for an Hundred Years paſt? Whether the Advantages that have accrued to *Great Britain*, by the Treaty, do not appear, and have not appeared, in the Security of the *Proteſtant Succeſſion*, and in His Majeſty's peaceable Acceſſion to the Throne, with the univerſal Applauſe of his Subjects; in the Additions made to our Wealth, by the great Quantities of Bullion lately coin'd at the *Mint*; by the vaſt Increaſe of Shipping, employ'd ſince the Peace, in the Fiſhery, and in Merchandize; and by the remarkable Riſe of the Cuſtoms upon Import, and of our Manufacture, and the Growth of our Country, upon Export. For the Proof of which Particulars he refers himſelf to thoſe Offices and Books wherein an Authentick Account of them is contained. And as the Terms of the Peace were, in theſe, and other Reſpects, manifeſtly profitable to *Great Britain*; ſo the ſaid Earl begs Leave humbly to remind Your Lordſhips, that they were communicated to the Parliament, and, with their Concurrence, agreed on: That the Peace, thus concluded, was (afterwards) highly approv'd by both Houſes; that ſolemn Thanks were render'd to God for it in all our Churches, as well as in the Churches of the *United Provinces*; and that

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her Majeſty received on this Subject, the hearty and unfeigned Congratulations of her People from all Parts of her Dominions.

Theſe being the real Effects, and this a true Repreſentation of her Majeſty's Conduct, in the Affairs both of War and Peace; the ſaid Earl ſees not how he, or any others, then in her Majeſty's Service, can be juſtly charg'd with betraying the Intereſts of their own Country, and of the Allies, by negotiating and promoting that Peace, which then was, and (as he has good Grounds to believe) ſtill continues to be very acceptable and advantageous to theſe Kingdoms; and if the Peace it ſelf be not condemned, and it be not even charged upon the ſaid Earl as a Crime, that he adviſed her Majeſty to conclude that Peace, (neither of which appear to him from the ſaid Articles,) he humbly conceives it is a particular and extraordinary Hardſhip upon him, that rough Draughts and Eſſays towards a Peace, with other Preliminary Steps in a Negotiation, all leading to an End which he looks upon to be juſt and profitable, and which is not in any of the Articles alledg'd to be otherwiſe, ſhould be brought into ſo many diſtinct Heads of Accuſation againſt him. For ſuppoſing, that in the proceſs of ſo nice and difficult on Affair, ſubject to divers unforeſeen Obſtructions and Events, any improper Steps had been taken, which the ſaid Earl doth not admit, but altogether on his part denies, yet if Things were at laſt conducted to a right Iſſue, and ended in an honourable and advantageous Peace, there can be (as he conceives) no juſt Ground to find fault with the Meaſures made uſe of to compaſs it, becauſe they ſeem'd before the Accompliſhment to have a different Tendency; eſpecially if it be conſidered, that ſcarce any Peace hath been made by a Confederacy, where leſs Occaſion was adminiſtred for Jealouſy among the ſeveral Parties, and leſs Reaſon given to complain, that every Nicety required, by the Letter of ſuch an Alliance, was not ſtrictly obſerv'd; and therefore he humbly hopes, that no Steps taken for obtaining a Peace, approv'd by the Wiſdom of former Parliaments, ſhall by any ſucceeding Parliament be accounted Criminal, unleſs it can be made appear that thoſe Steps were taken contrary to the Queen's Orders, or upon corrupt Views of private Advantage; but that no Charge of this Nature can be made

good againſt him, he preſumes to affirm, with great aſſurance nor does he know of any other Perſons juſtly chargeable upon either of theſe Accounts. And as a farther Proof, that thoſe who had the Honour to ſerve her Majeſty in the Negotiations of Peace, acted with upright Views and Intentions, and without being conſcious to themſelves of any failure in their Duty, either to their Queen, or their Country: The ſaid Earl craves leave to obſerve to your Lordſhips, That they never attempted to cover their Actions from publick Cenſure, by any Pardon or Indemnity, tho' they had very good Reaſon to believe, that had they judged, or imagin'd themſelves to have wanted ſuch Security, it might (thro' the Goodneſs of the Queen) have eaſily been obtain'd. Nor can he think it an Obſervation unfit to be made, that in few of the Articles which concern the Negotiations of Peace, the Charge is founded on any Breach of the Laws of *Great Britain*, but it is in moſt of them built chiefly on the ſuppoſed Infraction of certain Treaties and Alliances with foreign Princes or States; and he conceives that ſuch Infractions of publick Treaties, where they do not particularly affect the Intereſts of *Great Britain*, being cognizable by the Laws of Nations only, and not by thoſe of the Realm, are not wont to be examined into here at home, and proſecuted as Criminal, but upon the Complaint of ſome Prince or State, pretending by that means to be injur'd, and lodging ſuch Complaint in ſome reaſonable time with the Prince, by the Advice of whoſe Miniſters and Servants ſuch Injury is ſuppoſed to have been done; but he knows not that any ſuch Steps have been taken ſince the Peace, by any of the Powers concern'd; on the contrary he believes that all the Allies, except the Emperor and Empire, made their Peace with the Enemy at the ſame time the Queen did, and that none of them did afterwards complain to her Majeſty (who ſurviv'd the ſaid Peace a Year and almoſt four Months) of any Hardſhips impos'd upon them in it. That the Princes of the Empire, who contributed very little to the War, might have concluded their Peace upon reaſonable Terms at the ſame time the other Allies did, and would probably have done it, if the Emperor on his part had been willing to ſign together with them, which he is inform'd, at the Concluſion of any General Peace, has been ſeldom done; and particularly at the ſeveral Concluſions of the Peace of *Munſter*, that of *Nimeguen*, and that of *Ryſwick* was not practiced. And he ſubmits to your

your Lordſhips Conſideration, Whether the Emperor, having had all reaſonable and equitable Satisfaction made him for his Pretenſions to the Succeſſion of the *Spaniſh* Monarchy, according to the Terms of the Grand Alliance, could have any juſt Reaſon to complain of the Queen's Miniſters, or thoſe of her Allies, for concluding a Peace, without inſiſting, on his Account, upon impoſſible Conditions; eſpecially when no Proviſion was made, or offer'd to be made, to reimburſe her Majeſty any part of thoſe vaſt Sums ſhe had already expended in ſupport of his Pretenſions, whilſt he fail'd of ſupplying his Quota, almoſt in every part of the War, notwithſtanding his new and great Acquiſitions. But whether the Emperor, or any other of the Allies had any juſt Ground of Complaint or not, ſtill the ſaid Earl preſumes to inſiſt, that it ought to have been ſignifyed to the Queen, who upon ſuch Complaint, had ſhe found any of her Servants juſtly blameable, as diſobeying her Orders, or miſleading her by their Advice, into unjuſtifiable and diſhonourable Meaſures, might have puniſh'd them forthwith as their Offences deſerv'd; but nothing of this kind having been done, he humbly leaves it to be conſider'd by your Lordſhips, whether the Silence of the Powers concern'd, doth not carry in it a ſtrong Preſumption, either that they had no real and juſt Ground of Complaint, in relation to the Terms of the Peace it ſelf, or at leaſt did not look upon the Miniſters of the Queen as any ways liable to blame on that Account; and therefore he muſt again beg leave to expreſs to Your Lordſhips his Concern, that he ſhould be charg'd as a Criminal, by the Laws of this Land, for ſuppoſed Breaches of Treaties with Foreign States, which never were complained of, as ſuch, by the States themſelves, during the Life of her Majeſty. He deſires farther to obſerve to your Lordſhips, That wherever He is charg'd with carrying on a private and ſeparate Negotiation, 'tis all along underſtood with regard only to the States of the United Provinces, no ſtep that was communicated to them being cenſur'd upon this Account; whereas all the other Allies, had by vertue of their Treaties with the Queen, a like Right to a Communications of Councils; and her Majeſty was under no Stipulations to act more in concert with any one than with all of them. He does indeed allow it to have been moſt agreeable to Reaſon,

and to the Intereſts of State, that the Queen ſhould act in a cloſer Conjunction with *Holland* than with any other of her Allies, becauſe that next to *Great Britain*, *Holland* bore the greateſt Share in the Charge of the War; but then he hopes it will be allow'd alſo, that the States being more interreſted in the Succeſs of the War than *England*, and that *England* having ſubmitted to a greater Share of the Burthen, in order to procure not only a fitting Security for the States, but ſuch as brought great Advantages to them, tho' no Benefit to *England*, it was very reaſonable for the Queen to take care of the Intereſt of her own Kingdoms ſome other way: And ſince the Advantages ſhe demanded from the Enemy, were ſuch as ſhe might obtain, without any Prejudice to the States, it was as lawful for her to negotiate this Matter without communicating it originally, and in the firſt Riſe of it to them, as it was for her and the States to concert their mutual Intereſts together, without the immediate and expreſs Participation of the other Allies, which being known to be done without a Deſign to defeat any of the main Ends of the Alliance, was never complain'd of by any of the Confederates. And as for the Matters concerted previouſly with *France* for the particular Intereſt of *England* without the original Intervention of *Holland*, the States were ſo far from proteſting againſt her Majeſty's Meaſures, and condemning her Conduct in this Reſpect, that their Miniſter proffer'd ſeveral times in their Name to have led the Way, in the moſt difficult Part of the whole Negotiation, and to have done his utmoſt to facilitate the Concluſio n of it, provided his Maſters might have a Share in the *Aſſiento* Contract and Trade to the *Spaniſh Weſt-Indies*, one of thoſe Advantages which *France* had diſcover'd its Willingneſs ſhould be allow'd previouſly and entirely to *England*.

Theſe few general Obſervations the ſaid Earl has thought fit to add in the Cloſe of his Anſwer to the ſeveral Articles of his Impeachment, not only in his own neceſſary Vindication, but alſo in Defence of her late Majeſty's Conduct in the negotiating and concluding a Peace, the perfecting of which ſhe eſteem'd as the greateſt Happineſs of her Reign. Upon review of the 22 Articles with which he is charg'd, as he is not conſcious of any Offence committed by him with reſpect

reſpect to any one of them, ſo it is with a particular Concern and Surprize that he reflects on thoſe two, wherein he is accuſed of High Treaſon, for endeavouring to procure *Tournay* to *France*, and ſo deprive the States of that intended part of their Barrier; and for procuring *Spain* and the *Weſt-Indies* to the Duke of *Anjou*, upon his Renunciation of the Crown of *France*: Referring himſelf to what he has ſaid in his Anſwer to both theſe Articles, he here further aſſures your Lordſhips (and thinks it is ſufficiently known both at home and abroad) that his Opinion and Endeavour as Occaſion offer'd, always were for *Tournay's* remaining, as it now does, to the States General; and as to the latter, he doubts not but that what has lately happen'd in *France*, is a convincing Proof to your Lordſhip's, and to all the World, that the Renunciation was the beſt Expedient that could have been propoſed towards hindring the Two Kingdoms from being united under one and the ſame Monarch, that that Branch of the Treaty which relates to this Expedient has fully anſwer'd its End, and made good the Character given of it by the Queen, *That it would Execute it ſelf*; and therefore that whoever adviſed this method of ſeparating the two Crowns, was ſo far from being Guilty of any traiterous Deſign, that he eminently promoted the Welfare of *Great Britain*, and the Good of *Chriſtendom*. The ſaid Earl, with all the Aſſurances of an innocent Man, begs leave to repeat, that as well in this as in all other Affairs of State, in which he had the Honour to be employ'd by her late Majeſty, he ever acted according to the beſt of his Skill and Judgment, with ſincere Deſires and Intentions to ſerve the Publick, and without any View to his own private Advantage. As he was in ſeveral great Stations under her Majeſty, he came into all of them by her own ſpecial Command, without his ſeeking or deſiring them, and he ſerv'd in all with the utmoſt Reſpect, Zeal and Faithfulneſs. And while he continu'd in theſe Stations for many Years, it was with great Wonder and Pleaſure that he obſerv'd how her Majeſty's whole Thoughts, Endeavours and Time were divided between her Duty to God, and Her Love to her People; whoſe Good and Security ſhe prefer'd always to her own Eaſe, and often hazarded her Health and Life it ſelf, to procure it. He knew that the moſt effectual way for any One

to

to recommend himſelf to her good Opinion, was, to act upon the ſame Principles of Juſtice and Love to his Country, that ſhe did: And as ſhe abhorr'd the Thoughts of any thing burthenſome or injurious to her People; ſo ſhe often expreſs'd her ſelf with the greateſt Satisfaction and Delight, when ſhe reflected on the Advantages obtain'd by her for her own Subjects. and the Quiet and Repoſe ſhe had gain'd for *Europe*, by that juſt and honourable Peace, for which, as the preſent Age does, ſo Generations to come will bleſs the Memory of that excellent and renowned QUEEN.

AFTER the Reading of this Anſwer, the Lords order'd the ſame to be enter'd in the Books of their Houſe; and on *Wedneſday*, the 7th of *September*, ſent a Meſſage to acquaint the Commons, *That the Earl of* Oxford *and Earl* Mortimer *had put in his Anſwer to the Articles of Impeachment exhibited againſt him for High Treaſon and other High Crimes and Miſdemeanors, and to deliver to the Houſe of Commons a true Copy thereof.* Hereupon the Commons *order'd*, That *the ſaid Anſwer be read upon* Friday * *Morning* next; but the ſame was put off till *Monday* the 12th of *September*, when, the ſaid Anſwer being read accordingly, there aroſe a ſmall Debate. Mr. *Walpole*, among other things, ſaid, 'He had not yet had Time to 'peruſe and examine that Anſwer, but that he 'now heard it read with a great deal of Attention 'and, in his Opinion, it contain'd little more 'than what had been ſuggeſted in Vindication of 'the *Late Meaſures*, in a Pamphlet intitled *The* 'Conduct of the Allies, and repeated over and 'over in the Papers call'd *The Examiner*. That 'the main Drift of this Anſwer ſeem'd to prove 'theſe two Aſſertions: *Firſt*, That the Earl of 'Oxford had no ſhare in the adviſing and ma'naging the Matters mention'd in the Articles 'againſt him, but that the Late Queen did every 'thing;

* Sept. 9th. *The ſaid Anſwer read in the H. of Commons.*

'thing; and *Secondly*, That the Late Queen 'was a Wiſe, Good, and Pious Princeſs. 'That if the Second Propoſition were not bet-'ter grounded than the Firſt, the Reputation of 'that excellent Princeſs would be very Preca-'rious: But as every Body muſt own her to 'have been a Good and Pious Queen, ſo it was 'notorious that the Earl of *Oxford*, as Prime 'Miniſter, was the Chief Adviſer, Promoter, 'and Manager, of the Matters charged upon 'him in the Articles: And therefore his An-'ſwer was a Falſe and Malicious Libel, laying 'upon his Royal Miſtreſs the Blame of all the 'pernicious Meaſures he had led her into, againſt 'her own Honour and the Good of his Coun-'try: That he hoped the Earl's Endeavouring 'to ſcreen himſelf behind the Queen's Name, 'would avail him nothing: That 'tis, indeed, 'a fundamental Maxim of our Conſtitution, 'That *Kings can do no wrong*; but that, at the 'ſame Time, 'tis no leſs certain, That *Miniſters 'of State are accountable for their Actions*; 'otherwiſe a Parliament would be but an empty 'Name; the Commons ſhould have no Buſineſs 'in that Place; and the Government would be 'Abſolute and Arbitrary. That tho' the Earl 'had the Aſſurance to averr, That he had no 'ſhare in the Management of Affairs that were 'tranſacted while he was at the Helm, yet he 'pretended to juſtify the Late Meaſures: And 'therefore, in that Reſpect, his Anſwer ought 'to be look'd upon as a Libel on the Pro-'ceedings of the Commons, ſince he endea-'vour'd to clear thoſe Perſons, who had already 'confeſs'd their Guilt by their Flight.' Mr. *Shippen*, a Creature of the Earl of *Oxford*, could not be altogether ſilent on this Occaſion: He ſaid, 'That it would not become him to de-'fend the Earl's Anſwer, ſince, as a Member of 'that honourable Aſſembly, he was become one 'of his Accuſers: But that he could not forbear

'wiſhing

'wiſhing, that this Proſecution might be dropt, 'and that the Houſe would be ſatisfy'd with the 'Two Late Acts of *Attainder*. That this Wiſh 'of his was the ſtronger, becauſe one of the 'Principal Reaſons that induc'd the Commons 'to impeach the Earl of *Oxford*, ſubſiſted no 'longer, the Affairs of *Europe* having receiv'd a 'ſudden Turn from the Death of the *French* 'King; whereby the *Renunciation* of King '*Philip* began to take Place, in the Advance-'ment of the Duke of *Orleans* to the abſolute 'Regency of *France*.' Mr. *Aiſlaby* anſwer'd thereupon, 'He hop'd 'twas to little purpoſe 'the Gentleman who ſpoke laſt, endeavour'd to 'move the Pity and Compaſſion of the Houſe, 'and perſuade them to drop this Proſecution. 'That this was not a proper Time to examine 'and reply to the Earl of *Oxford*'s Anſwer; 'and therefore he would content himſelf with 'ſaying, in general, That it was a Contexture 'of the *Shifts*, *Evaſions*, and *Falſe Repreſenta-*'*tions*, contain'd in the *Three Parts* of the † *Hi-*'*ſtory of the White Staff*. That as to what had 'been ſuggeſted, concerning the Event which 'ſeem'd to have ſtrengthen'd the Renunciation, 'he did not deny, there might be ſomething in 'it; which was manifeſt from the great Joy the 'Well affected to the Government had ſhewn 'on this Occaſion, and from the Mortification 'and Deſpair that appear'd in the Faces of a cer-'tain Party: But that, after all, it could not 'yet be aſcertain'd, That the *Renunciation* was 'in Force; that there was a vaſt Difference be-'between the *Regency* and the *Crown*; that 'Time only would decide that Matter; but that 'even ſuppoſing that, by the Concurrence of 'unforeſeen Events, King *Philip*'s Renunciation 'ſhould, at laſt, take Place, yet the ſame 'would not juſtify the Miniſters who propoſed 'and laid it as the Foundation of the Late 'Peace, ſince they with whom they treated,

'were

† *A Pamphlet written by* Daniel De Foe, *in Vindication of the E. of* Oxford.

'were ſo frank and ſo ſincere as to tell them, 'That it could never be *valid*, by the Funda-'mental Laws of *France*.' After ſome other Speeches, it was order'd, 1*ſt*, 'That the Anſwer of '*Robert* E. of *Oxford* and E. *Mortimer*, be re-'ferr'd to the Committee appointed to draw up 'Articles of Impeachment and prepare Evidence 'againſt the Impeached Lords;' 2*dly*, 'That 'the ſaid Committee do prepare a *Replication* to the ſaid Anſwer.' Accordingly, on *Friday* the 16th of *September*, Mr. *Walpole*, from the ſaid Committee, reported the ſaid *Replication*, which he read in his Place, and afterwards deliver'd in at the Table, where the ſame was read, agreed unto, and *order'd* to be ingroſs'd. Three Days † after, the Ingroſſed Replication was read, and order'd, That the Ld. *Coningsby* do carry the ſame to the Lords: Which His Lordſhip did accordingly. The ſaid *Replication* is as follows:

† Sept. 19th

The Commons REPLICATION to the Anſwer of *Robert* Earl of *Oxford* and Earl *Mortimer*.

Replication of the Commons to the Earl of Oxford's *Anſwer.*

THE *Commons have conſider'd the Anſwer of* Robert *E. of* Oxford *and E.* Mortimer, *to the Articles of Impeachment exhibited againſt him, by the Knights, Citizens, and Burgeſſes, in Parliament aſſembled; and do with Aſtoniſhment obſerve, That the ſaid Earl, inſtead of giving a Reaſonable and Pertinent Anſwer, to the juſt and heavy Charge brought againſt him, by the Commons of* Great Britain, *has preſum'd not only to deny his adviſing and being concern'd in any Matters of State, in the Articles charged againſt him, tho' confeſſed to be under an Adminiſtration, wherein he was notoriouſly the Firſt Miniſter and Chief Director: But has alſo joined therewith a Falſe and Malicious Libel, laying upon his Royal Miſtreſs the Blame of every thing, which, by impoſing upon her, he had effected againſt her Honour, and*

the Good of his Country; thereby attempting to reflect upon the Honour and Justice of the House of Commons, and to cast an Odium *upon their Proceedings against him, as tending to asperse the Memory of the Late Queen.*

Bnt the Commons are of Opinion, that if it were possible to add to the heavy Load of Guilt, in which the Treasons, and other most flagitious Crimes, committed by the said Earl, have already involved him; this base and ungrateful Attempt to impute them to his Royal Mistress, must bring such a new Weight of Infamy upon him, and so justly provoke the Indignation of the Commons, that they might think themselves oblig'd to demand Your Lordships Immediatt Justice, for this unwarranted Attempt upon the Honour of the Late Queen, and the Proceedings of Parliament.

But the Commons being sensible, that the Treasons and other Crimes whereof the said Earl stands impeached, and the Necessity of bringing him to speedy and exemplary Justice, require that all Occasions of Delay should be avoided; and not doubting that Your Lordships will, in due Time, vindicate the Honour of the Late Queen and of the Commons of Great Britain, *and the Justice of their Proceedings; the Commons do aver their Charge against the said Earl of* Oxford *and Earl* Mortimer, *for High Treason, and other High Crimes and Misdemeanors, to be true; and that the said Earl is guilty of all and singular the Articles and Charges therein respectively contained, in such manner as he stands impeached; and that the Commons will be ready to prove their Charge against him, at such Convenient Time and Place appointed for that Purpose:*

† Sept. 20th. *Report from the Committee of Secrecy relating to the Confinement of Mr.* Prior.

The next † Day, Mr. *Walpole* reported from the Committee appointed to draw up Articles of Impeachment, and to prepare Evidence against the Impeached Lords, That they having, pursuant to the Order of Reference from the House, consider'd of the State and Circumstances

ſtances of the Commitment of Mr. *Prior*, thought proper to make the following Report thereupon to the Houſe.

That in the Peruſal and Examination of the ſeveral Books and Papers referred to the Committee of Secrecy, Mr. Prior *appeared, through the whole Progreſs of the ſeparate and pernicious Negotiations, carried on between the Miniſters of* Great Britain *and* France, *to have been principally concerned, as an Agent and Inſtrument of thoſe evil and traiterous Counſellors, ſome of which are already attainted, and others ſtand impeached of High Treaſon and other High Crimes and Miſdemeanors: And the Committee conceiving there were Matters contained in the Firſt General Report, from which Crimes of a very high Nature might be juſtly charged and imputed to the ſaid Mr.* Prior, *whenever the Houſe ſhould think proper to enter into that Conſideration, as likewiſe that Mr.* Prior *was able to give great Lights into all thoſe dark and ſecret Tranſactions, when he ſhould be called upon by the Great Council of the Nation, or any Committee appointed by them, to give an Account of the Negotiations in which he was concerned as a publick Miniſter: The Houſe, upon a Motion from the Committee for that Purpoſe, was pleaſed to order, before the Report was made, that Mr.* Prior *ſhould be taken into Cuſtody of the Serjeant at Arms, to prevent his making his Eſcape, upon Notice of what was contained in the Report.*

That this Method of confining Mr. Prior *is not only agreeable to former Precedents upon the like Occaſions, but neceſſary and eſſential to that great Duty and Privilege of the Houſe of Commons, of redreſſing Grievances, and bringing great Offenders to Juſtice.*

That the Committee did, ſometime after, purſuant to the Powers given them by the Houſe, proceed to examine Mr. Prior *concerning ſeveral Matters, of which there can be no doubt but he was fully appriſed and acquainted with; in which*

Examination Mr. Prior *did behave himself with such Contempt of the Authority of Parliament, and prevaricate in so gross a manner, as most justly to deserve the highest Displeasure of the House.*

But finding at last, after an Examination of several Hours, that it was impossible for him to disguise or conceal some Facts that were before the Committee, he was induced to declare upon Oath some Truths, which will be very material Evidence upon the Tryals of the Impeached Lords.

And the Committee having Notice, that Mr. Prior *had, during his first Confinement, met and conferred with the E. of* Oxford, *and his nearest Relations and Dependants, which Mr.* Prior *confess'd to be true, thought it their Duty to move the House that Mr.* Prior *might be committed to Closer Custody.*

From this short State of the Proceedings relating to Mr. Prior, *the Committee submits it to the Wisdom of the House, Whether his Behaviour has so far merited the Favour and Mercy of the House, as to make that Confinement more easy to him, which his Contempt of the Commons of* Great Britain, *and his notorious Prevarication, most justly brought him into. And it seems worthy of Consideration, how far it may be thought adviseable for the House of Commons to set at Liberty a Person in their Custody, and committed according to the ancient Methods and Practice of Parliament; who is a material Evidence against high Offenders, under Prosecution of the Commons of* Great Britain, *and who, there is great Reason to apprehend, would immediately withdraw himself, and, as far as in him lay, defeat the Justice of the Nation.*

After the Reading of this Report, the Commons *order'd*, 'That the Committee appointed 'to draw up Articles of Impeachment, and to 'prepare Evidence against the Impeach'd Lords, 'be impower'd to sit, notwithstanding any Ad-'journment of the House.

A Week * before, the Lords having ſent for the Lieutenant of the *Tower*, and demanded of him, and of the Uſher of the *Black-Rod*, at their own Bar, whether *James* Duke of *Ormonde*, or *Henry* Viſcount *Bolingbroke*, had ſurrended themſelves to either of them, purſuant to the Limited Time given them; and being anſwer'd, *They had not*: Their Lordſhips thereupon *order'd* the Earl Marſhal to raze out of the Liſt of Peers, the Names and Coats of Arms of *James* Duke of *Ormonde*, &c. and of *Henry* Viſcount *Bplingbroke*. Inventories were alſo order'd to be taken of their Perſonal Eſtates: and the Atchievement of the Duke of *Ormonde*, as Knight of the moſt Noble Order of the Garter, to be taken down from St. *George*'s Chappel at *Windſor*.

* Sept. 13th.

The Names and Coats of Arms of the Duke of Ormond, *and the Lord* Bolingbroke, *order'd to be raſed out*, &c.

By this Time the Court had undoubted Information, Than an open *Rebellion* was broke out in *Scotland*, that was to be ſupported by a great Conſpiracy in *England*; of both which I ſhall give but a ſhort Account in this Place. Among the *Scotch* Peers, few made earlier Profeſſions of their Loyalty and Affection to King GEORGE, than the Earl of *Mar*, as appears by the following Letter from his Lordſhip to His Majeſty.

Account of the Beginning of the Rebellion in Scotland

The Earl of Marr's *Letter to King* George.

SIR,

HAving the Happineſs to be your Majeſty's Subject, and alſo the Honour of being one of your Servants, as one of your Secretaries of State, I beg leave to Kiſs your Majeſty's Hand, and congratulate your happy Acceſſion to the Throne; which I would have done my ſelf the Honour of doing ſooner, had I not hop'd to have had the Honour of doing it perſonally e're now.

I am afraid I may have had the Misfortune of being miſrepreſented to your Majeſty, and my

reaſon

reaſon for thinking ſo, is, becauſe I was, I believe, the only one of the late Queen's Servants, who your Miniſters here did not viſit, which I mentioned to Mr. Harley, and the E. of Clarendon when they went from hence to wait on Your Majeſty, and Your Miniſters carrying ſo to me was the Occaſion of my receiving ſuch Orders as depriv'd me of the Honour and Satisfaction of waiting on them, and being known to them.

I ſuppoſe I had been miſrepreſented to them by ſome here upon Account of Party, or to ingratiate themſelves by aſperſing others, as our Parties here too often occaſion, but I hope your Majeſty will be ſo Juſt as not to give Credit to ſuch Miſrepreſentations.

The Part I acted in the bringing about and making of the Union, when the Succeſſion to the Crown was ſettled for Scotland on Your Majeſty's Family, where I had the Honour to ſerve as Secretary of State for that Kingdom, doth, I hope, put my Sincerity and Faithfulneſs to Your Majeſty out of Diſpute.

My Family hath had the Honour for a great tract of Years to be faithful Servants to the Crown, and have had the Care of the Kings Children (when Kings of Scotland) intruſted to them. A Predeceſſor of mine was honour'd with the Care of your Majeſty's Grandmother when young; and ſhe was pleaſed afterwards to expreſs ſome Concern for our Family in Letters which I ſtill have under her own Hand.

I have had the Honour to ſerve Her late Majeſty in one Capacity or other ever ſince her Acceſſion to the Crown, I was happy in a good Miſtreſs, and ſhe was pleaſed to have ſome Confidence in me, and regard for my Services: And ſince your Majeſty's happy Acceſſion to the Crown, I hope you will find that I have not been wanting in my Duty in being inſtrumental in keeping Things

quiet

quiet and peaceable in the Country to which I belong, and have ſome Intereſt in.

Your Majeſty ſhall ever find me as faithful and dutiful a Subject and Servant as ever any of my Family have been to the Crown, or as I have been to my late Miſtreſs the Queen. And I beg Your Majeſty may be ſo good not to believe any Miſrepreſentations of me, which nothing but Party Hatred and my Zeal for the Intereſt of the Crown doth occaſion; and I hope I may preſume to lay Claim to Your Royal Favour and Protection.

As Your Acceſſion to the Crown hath been quiet and peaceable, may Your Majeſty's Reign be long and proſperous, and that Your People may ſoon have the Happineſs and Satisfaction of your Preſence among them, is the earneſt and fervent Wiſhes of him, who is with the humbleſt Duty and Reſpect, SIR,

Your Majeſty's moſt faithful, moſt dutiful and moſt obedient Subject and Servant,

MAR.

Whiteball, Aug. 30.
O. S. 1714.

But notwithſtanding theſe Solemn Aſſurances of Duty and Fidelity, the Earl of *Mar* was the firſt who broke his bounden Allegiance to King *GEORGE*, and traiterouſly ſet up the Standard of the Pretender. About the Beginning of *Auguſt*, 1715. his Lordſhip, with Major General *George Hamilton*, and Two Servants, embark'd in the River *Thames* on board a Collier, and arriving, in Two or Three days, at *Newcaſtle*, hired there a Veſſel, which ſet him and his Company, on Shore at *Creil*, in the Shire of *Fife*. Soon after his Landing, he was attended by ſome of his Friends, and ſo reach'd his Seat in the Country of *Bratmarr*, were

The Earl of Mar, *goes to the* Highlands *in* Scotland.

where in a few Days, moſt of the *Scotch* Noblemen and Gentlemen avowedly diſaffected to the preſent Government, reſorted to him: Particularly, the Marqueſſes of *Huntley* and *Tullibardine*; the Earls of *Nithsdale*, *Linthlithgow*, *Traquhair*, *Southesk*, *Mariſchal*, and *Carnwarth*, the Viſcounts *Kilſyth*, *Kenmure*, *Kingſton*, and *Stormount*, and the Lords *Drummond* and *Rollo*.

Meaſures taken to ſecure the Government.

Upon the News of the Earl of *Mar*'s being in the *Highlands*, and the Report of his having drawn together a Body of 5 or 6000 Men, Orders were immediately diſpatch'd to *Edinburgh* for apprehending ſeveral ſuſpected Perſons purſuant to which the Earls of *Hume*, *Wigtown* and *Kinnoul*, the Lord *Deskford*, (eldeſt Son to the Earl of *Findlator* and *Seafield*) Mr. *Lockhart*, and Mr. *Hume*, of *Whitfield*, were taken up and committed Priſoners to the Caſtle of *Edinburgh*. Orders were, on the other Hand, ſent to Major General *Whetham*, Commander in Chief in *Scotland*, forthwith to march, with all the regular Troops that could be ſpared, to form a Camp near *Stirling*, to ſecure the Bridge over the *Forth*; and to quarter the Half-Pay Officers in ſuch a manner, that they might be in a readineſs to command the *Militia*: Which was done accordingly. At the ſame time, the Guſtom-Houſe Officers were directed to have a Watchful Eye on all Ships, the Court having certain Intelligence, that there were ſeveral Veſſels laden with Arms and Ammunition, for the Uſe of the Pretender, ready to ſail from the Port of *Havre-de-Grace*, for *Scotland*. But notwithſtanding, all the Precautions uſed by the Government, on the 29th of *Auguſt*, the Lord Juſtice *Clerk* had Advice from *Montroſe*, that one of thoſe Ships was arrived at *Arbroth* in the North, where ſhe was immediately unloaded by *Highlanders*, ſent thither for that purpoſe

purpoſe, who carry'd the Arms and Ammunition to the Country of *Brae-mar*. A few Days after another Ship landed ſeveral Officers, who went to join the Earl of *Marr*, and gave him, and the Lords with him, Aſſurances that the *Pretender* would ſoon be in Perſon amongſt them.

Upon theſe and other Encouragements, and the confident Expectation of a general Riſing of the Diſſaffected in *England*, on the 3d of *September*, the Earl of *Mar*, with his Aſſociates, held a Meeting at *Aboyne* in the Shire of *Aberdeen*, where, under Pretence of conſulting for their own Safety, they concerted Meaſures to draw their Forces together, and declare for the *Pretender*. Accordingly, on the 6th of *September*, the Earl of *Mar* ſet up the Standard of the *Pretender*, and cauſed him to be proclaim'd at *Brae-mar*; as he was afterwards at other Places, particularly at *Perth*, by Colonel *Balfour*; at *Aberdeen*, by the E. of *Mariſchal*; at *Dundee*, by Viſcount *Dundee*; at *Montroſe*, by the Earl of *Southesk*; at *Forreſs*, by Sir *William Gordon*, *&c.* On the other hand, the E. of *Mar* took upon him the Title of Lieut. Gen. of the *Pretender*'s Forces, and, as ſuch, publiſh'd the following Declaration; which he ſent with a Letter, to the Baillie of *Kildrummie*.

The Pretender proclaim'd in ſeveral Places.

The Earl of *MAR*'s Declaration.

The Earl of Mar's Declaration.

OUR Rightful and Natural King James *the Eighth, by the Grace of God, who is now coming to relieve us from our Oppreſſions, having been pleaſed to intruſt us with the Direction of his Affairs, and the Command of his Forces in this his ancient Kingdom of* Scotland: *And ſome of his Faithful Subjects and Servants met at* Aboyne, viz. *The Lord* Huntley, *the Lord* Tullibardine, *the Earl* Mariſchal, *the Earl of* Southesk,

Glingary *from the Clans*, Glenderule *from the Earl of* Broadalbine, *and Gentlemen of* Angleſhire, *Mr.* Patrick Lyon *of* Auchterhouſe, *the Laird of* Auldbair, *Lieutenant General* George Hamilton, *Major General* Gordon, *and my ſelf, having taken into Conſideration His Majeſty's laſt and late Orders to us, find, that as this is now the Time that he ordered us to appear openly in Arms for him, ſo it ſeems to us abſolutely neceſſary for His Majeſty's Service, and the relieving of our native Country from all its Hardſhips, that all his faithful and loving Subjects, and Lovers of their Country, ſhould with all poſſible Speed put themſelves into Arms.*

Theſe are therefore, in His Majeſty's Name and Authority, and by Virtue of the Power aforeſaid, and by the King's ſpecial Order to me thereunto, to require and impower you forthwith to raiſe your Fencible Men, with their beſt Arms, and you are immediately to march them to join me and ſome other of the King's Forces, at the Inwor *of* Brae-mar, *on* Monday *next, in order to proceed in our March to attend the King's Standard, with his other Forces,*

The King intending that his Forces ſhall be paid from the Time of their ſetting out, he expects, as he poſitively orders, that they behave themſelves civilly, and commit no Plundering nor other Diſorders, upon the Higheſt Penalties and his Diſpleaſure, which is expected you'll ſee obſerved.

Now is the Time for all good Men to ſhew their Zeal for His Majeſty's Service, whoſe Cauſe is ſo deeply concerned, and the Relief of our native Country from Oppreſſion and a Foreign Yoke, too heavy for us and our Poſterity to bear, and to endeavour the reſtoring not only of our rightful and native King, but alſo our Country to its ancient, free, and independeal Conſtitution, under him whoſe Anceſtors have reigned over us for ſo many Generations.

In

In ſo honourable, good, and juſt a Cauſe, we cannot doubt of the Aſſiſtance, Direction, and Bleſſing of Almighty God, Who has ſo often reſcued the Royal Family of Stuart, *and our Country from ſinking under Oppreſſion.*

Your punctual Obſervance of theſe Orders is expected, for the doing of all which, this ſhall be to you, and all you employ in the Execution of them, a ſufficient Warrant.

To the Baillie and the reſt of the Gentlemen of the Lordſhip of *Kildrummy*.

Given at *Brae-mar* the Ninth of *Sept.* 1715.

Mar.

The Earl of *Mar*'s LETTER to his Baillie of *Kildrummy*.

Invercauld, Sept. 9. at Night, 1715.

Jocke,

YE was in the right not to come with the 100 *Men ye ſent up to Night, when I expected Four Times the Number. It is a pretty thing, when all the* Highlands *of* Scotland *are now riſing upon their King and Country's account, as I have Accounts from them ſince they were with me, and the Gentlemen of our Neighbouring* Lowlands *expecting us down to join them, that my Men ſhould be only refractory. Is not this the thing we are now about, which they have been wiſhing theſe* 26 *Years, and now, when it is come, and the King and Country's Cauſe at Stake, will they for ever ſit ſtill, and ſee all periſh?*

I have us'd Gentle Meaus too long, and ſo I ſhall be forced to put other Orders I have in Execution: I have ſent you encloſed an Order for the Lordſhip of Kildrummy, *which you are immediately to intimate to all my Vaſſals; if they give ready Obedience it will make ſome amends, and if not, ye may tell them from me, that it will not be in my power to ſave them (were I willing) from being treated as Enemies, by thoſe who are ready ſoon*

to join me; and they may depend on it, that I will be the First to propose and order their being so. Particularly, let my own Tenants in Kildrummy *know, that if they come not forth with their Best Arms, that I will send a Party immediately, to burn what they shall miss taking from them: And they may believe this not only a Threat, but, by All That's Sacred, I'll put it in execution, let my Loss be what it will, that it may be an Example to others. You are to tell the Gentlemen that I'll expect them in their Best Accoutrements, on Horseback, and no Excuse to be accepted of. Go about this with all Diligence, and come your self and let me know your having done so. All this is not only as ye will be answerable to me, but to your King and Country,*

Your assured Friend and Servant,
Sic subscribitur MAR.

To John Forbes *of*
Increrat, *Baillie of*
Kildrummy.

A few Days after the Earl of *Mar* publish'd the following *Manifesto.*

MANIFESTO by the Noblemen, Gentlemen, and others, who dutifully appear at this Time in asserting the undoubted Right of their Lawful Sovereign, James *the Eighth, by the Grace of God, King of* Scotland, England, France, *and* Ireland, *Defender of the Faith,* &c. *and for relieving this his ancient Kingdom, from the Oppressions and Grievances it lies under.*

HIS Majesty's Right of Blood to the Crowns of these Realms, is undoubted, and has never been disputed or arraign'd by the least Circumstance or Lawful Authority.

By the Laws of God, by the ancient Constitutions, and by the positive unrepeal'd Laws of the Land, we are bound to pay His Majesty the Duty of loyal Subjects: Nothing can absolve us from

from this our Duty of Subjection and Obedience. The Laws of God require our Allegiance to our Rightful King, the Laws of the Land ſecure our Religion and other Intereſts; and His Majeſty giving up himſelf to the Support of his *Proteſtant* Subjects, puts the Means of ſecuring to us our Concerns Religious and Civil, in our own Hands.

Our Fundamental Conſtitution has been entirely alter'd, and ſunk, amidſt the various Shocks of unſtable Faction, while, in the ſearching out new Expedients, pretended for our Security, it has produc'd nothing but daily Diſappointments, and has brought us and our Poſterity under a precarious Dependance upon Foreign Councils and Intereſts, and the Power of Foreign Troops.

The late unhappy Union, which was brought about by the Miſtaken Notions of ſome, and the Ruinous and Selfiſh Deſigns of others, has prov'd ſo far from leſſening and healing the Differences betwixt His Majeſty's Subjects of *Scotland* and *England*, that it has widen'd and increas'd them; and it appears, by Experience, ſo inconſiſtent with the Rights, Privileges, and Intereſts of Us, and our good Neighbours and Fellow-Subjects of *England*, that the Continuance of it muſt inevitably ruin us, and hurt them, nor can any way be found out to relieve us, and reſtore our Ancient and Independent Conſtitution, but by the reſtoring our rightful and natural King, who has the only undoubted Right to reign over us; neither can we hope that the Party, who chiefly contribute to bring us into Bondage, will, at any Time, endeavour to work our Relief, ſince it's known how ſtrenuouſly they oppos'd, in Two Late Inſtances, the Efforts that were made by all *Scotſmen*, by themſelves, and ſupported by the Beſt and Wiſeſt of the *Engliſh*, towards ſo deſirable an End, as they will not adventure openly to diſown the Diſſolution of the Union to be.

Our Subſtance has been waſted in the late ruinous Wars, and we ſee an unavoidable Proſpect of having Wars continued on us, and our Poſterity, ſo long as the Poſſeſſion of the Crown is not in the Right Line.

The Hereditary Rights of the Subjects, tho' confirmed by Conventions and Parliaments, are now treated as of no Value or Force; and paſt Services to the Crown and Royal Family, are now look'd upon as Grounds of Suſpicion.

A pack'd-up Aſſembly, who call themſelves a *Britiſh Parliament*, have, ſo far as in them lies, inhumanely murder'd their own, and our Sovereign, by promiſing a great Sum of Money as the Reward of ſo execrable a Crime.

They have proſcrib'd, by Unaccountable and Groundleſs Impeachments and Attainders, the worthy Patriots of *England*, for their honourable and ſucceſsful Endeavours to reſtore Trade, Plenty, and Peace, to theſe Nations.

They have broken in upon the ſacred Laws of Both Countries, by which the Liberty of our Perſons was ſecur'd; they have impower'd a Foreign Prince (who, notwithſtanding of his Expectations of the Crown for 15 Years, is ſtill unacquainted with our Manners, Cuſtoms, and Language) to make an abſolute Conqueſt (if not timouſly prevented) of the Three Kingdoms, by inveſting himſelf with an unlimited Power, not only of raiſing Unneceſſary Forces at Home, but alſo of calling in Foreign Troops, ready to promote his uncontrolable Deſigns: Nor can we be ever hopeful of its being otherwiſe, in the Way it is in at preſent, for ſome Generations to come. And the ſad Conſequences of theſe unexampled Proceedings have really been ſo fatal to great Numbers of our Kinſmen, Friends, and Fellow-Subjects of Both Kingdoms, that they have been conſtrain'd to abandon their Country, Houſes, Wives, and Children, or give themſelves up Priſoners, and perhaps Victims, to be ſacrific'd at the Pleaſure of Foreigners, and a few hot headed Men, of a reſtleſs Faction, whom they employ.

Our Troops abroad, notwithſtanding of their long and remarkable good Services, have been treated, ſince the Peace, with Neglect and Contempt, and particularly in *Holland*; and it's not now the Officers long Service, Merit, and Blood they have loſt, but Money and Favour by which they can obtain Juſtice in their Preferments; ſo that it's evident the Safety of His Majeſty's Perſon, and Independency of his Kingdoms, call loudly for immediate Relief and Defence.

The Conſideration of theſe unhappy Circumſtances, with the due Regard we have to common Juſtice, the Peace and Quiet of us, and our Poſterity, and our Duty to His Majeſty and his Commands, are the powerful Motives which have engag'd us in our preſent Undertaking, which we are firmly and heartily reſolv'd to puſh to the utmoſt, and ſtand by one another

another to the laſt Extremity, as the only ſolid and effectual means of putting an end to ſo dreadful a Proſpect; as by our preſent Situation we have before our Eyes: And with faithful Hearts true to our only Rightful King, our Country, and our Neighbours, We earneſtly beſeech and expect (as his Majeſty Commands) the Aſſiſtance of all our true fellow Subjects to Second this our firſt Attempt, declaring hereby our Sincere intentions that we will promote, and concurr in all lawful means, for ſettling a laſting Peace to theſe Lands, under the Auſpicious Government of our Native Born Rightful Sovereign, the Direction of our own Domeſtick Councils, and the Protection of our Native Forces and Troops.

That we will, in the ſame manner Concur and endeavour To have our Laws, Liberties, and Properties ſecur'd by the Parliaments of both Kingdoms; That by the Wiſdom of ſuch Parliaments, We will endeavour to have ſuch Laws enacted, as ſhall give abſolute Security to us, and future Ages, for the *Proteſtant* Religion, againſt all Efforts of Arbitrary Power, Popery, and all its other Enemies. Nor have we any reaſon to be diſtruſtful of the Goodneſs of God, the Truth and Purity of our holy Religion, or the known Excellency of his Majeſties Judgment, as not to hope, that in due time good Example, and Converſation with our Learned Divines, will remove theſe Prejudices, which we know his Education in a *Popiſh* Country, has not rivetted in his Royal diſcerning Mind; And we are ſure, as Juſtice is a Vertue in all Religions, and Profeſſions, ſo the doing of it to him, will not leſſen his good Opinion of ours.

That as the King is willing to give his Royal Indemnity for all that is paſt, ſo he will cheerfully concur in paſſing General Acts of Oblivion, that our fellow Subjects, who have been miſled, may have a fair Opportunity of living with us, in the ſame Friendly manner, we deſign to live in with them.

That we will uſe our Endeavours, for redreſſing the bad Uſage of our Troops abroad, and bringing the Troops at home to be on the ſame foot and Eſtabliſhment of Pay, as thoſe of *England*.

That we will ſincerely and heartily go into ſuch meaſures, as ſhall maintain effectually and eſtabliſh a right, firm, and laſting

laſting Union, betwixt his Majeſty's ancient Kingdom of *Scotland*, and our good Neighbours and fellow Subjects of the Kingdom of *England*.

The Peace of theſe Nations being thus ſettled, and we thus freed from Foreign Dangers, we will uſe our endeavours to have the Army reduc'd to the uſual Number of Guards and Garriſons; And will concur in ſuch Laws and Methods, as ſhall relieve us of the heavy Taxes and Debts, now lying upon us, and at the ſame time will ſupport the Publick Credit in all its Parts.

And we hereby faithfully promiſe and engage, That every Officer, who joins with us, in our King and Country's Cauſe, ſhall not only enjoy the ſame Poſt he now does, but ſhall be advanc'd and preferr'd according to his Rank, and Station; and the number of Men he brings off with him to us, and each Foot Souldier ſo joining us, ſhall have 20 ſhillings Sterling, and each Trooper or Dragoon, who brings Horſe and Accoutrements along with him, 12 Pound Sterl. Gratuity beſides their Pay.

And in general, we ſhall concurr with all our fellow Subjects, in ſuch meaſures, as ſhall make us flouriſh at home, and be formidable abroad, under our Rightful Sovereign, and the Peaceable Harmony of our ancient Fundamental Conſtitution, undiſturb'd by a Pretender's Intereſts and Councils from abroad, or a Reſtleſs Faction at home.

In ſo Honourable, ſo Good, and Juſt a Cauſe, We do not doubt of the Aſſiſtance, Direction, and Bleſſing of Almighty God, who has ſo often Succour'd the Royal Family of *Stuarts*, and our Country, from ſinking under Oppreſſion.

Beſides

Beſides the Meaſures concerted among the Heads of the *Highland-Clans*, a Conſpiracy was form'd at *Edinburgh*, to ſurprize the Caſtle there, on the 8th of *September*, between 11 and 12 at Night; which, by the Care and Vigilance of the Lord Juſtice *Clerk*, who had early Notice of it, was happily prevented. The Deſign was to mount the Wall on the Weſt Side of the Caſtle, by Rope-Ladders provided for that Purpoſe, which were to be pulled up by Lines let down from within by ſome Soldiers belonging to the Garriſon, who had been corrupted. The Conſpirators did accordingly rendezvous at the Foot of the Caſtle-Wall, at the Time appointed; and a Rope was let down and fixed to one of the Ladders: But the Lord Juſtice *Clerk* having ſent Intimation of this Deſign to Colonel *Stuart*, Lieutenant-Governour of the Caſtle, the Latter order'd the Officers under him to double their Guards, and to make diligent Rounds. Accordingly Lieutenant *Lindſey*, as he was going the Round, found one of the Soldiers, who had been debauch'd, actually drawing up the Ladder, in order to fix it to the Top of the Wall; upon which he order'd the Centinel next him to fire, which giving the Alarm, the Conſpirators diſpers'd and fled. But a Party of the Town-Guard, which, at the Requeſt of the Lord Juſtice *Clerk*, the Provoſt had ſent out to patroll, with ſome reſolute Volunteers, coming up, found one Captain *Maclean*, formerly an Officer under *Dundee*, ſprawling on the Ground, and bruiſed with a Fall from the Wall, whom they ſecured, with Three others of his Accomplices. They likewiſe found the Ladders, and about a Dozen of Firelocks and Carbines, which the Conſpirators had thrown away, in order to make their Eſcape the better. One Sergeant, one Corporal, and Two Private Soldiers of the Garriſon were alſo ſecured; and, by the Confeſſions of the Perſons ſeized, it appeared that the Number engaged in this Attempt was about Eighty, of

Conſpiracy to ſeize the Caſtle of Edinburgh *prevented and diſcover'd.*

which about Half were *Highlanders*. That one Mr. *Arthur*, formerly an Enſign in the Caſtle, and afterwards in the *Scotch Guards*, engaged the Soldiers in the Conſpiracy, by promiſing the Sergeant a Lieutenant's Place; the Corporal an Enſign's; and by giving one of the Soldiers Eight Guineas, and the other Four. That the Lord *Drummond* was to be Governor of the *Caſtle*, as being the Contriver of the Deſign; and that, upon the Succeſs of it, the Conſpirators were to fire Three Rounds of the Artillery in the Caſtle, which, by the Communication of Fires to be kindled at convenient Diſtances, was to be a Signal for the Earl of *Mar* immediately to march towards *Edinburgh* with his Forces, to improve the Conſternation and Terror which ſuch an Accident would have ſtruk among the Well-affected to King *George*.

Conſpiracy in England *diſcover'd.*

By this Time a far more dangerous and more horrid Conſpiracy was diſcover'd, and happily prevented in *England*; the Particulars of which cannot be related in this Place. Let it ſuffice here to take notice, That on the 2d of *September* Lieutenant Colonel *Paul*, who had a Company in the Firſt Regiment of Foot-Guards, was ſecured, and, the next Day, committed Priſoner to the *Gate-Houſe*, being charg'd with inliſting Men for the *Pretender*'s Service, and other Treaſonable Practices. That on *Sunday* the 4th of *September*, the *titular* Duke of *Powis*, a *Roman Catholick*, was alſo taken into the Cuſtody of one of His Majeſty's Meſſengers, and Ten Days after, * committed to the *Tower* for *High Treaſon*. That on the 21ſt of *September* the Lord *Lanſdowne*, and the Lord Viſcount *Duplin*, were alſo taken into the Cuſtody of Meſſengers; and that a Warrant was iſſued to apprehend the Earl of *Jerſey*.

Col. Paul *taken into Cuſtody.*

* Sept. 14th. *The D. of* Powis *committed to the* Tower.

The Lords Lanſdowne, Duplin, *and* Jerſey, *apprehended.*

The ſame * Day, 'Mr. Secretary *Stanhope* acquainted the Commons, That he was commanded by the King to communicate to this Houſe, 'That His Majeſty having juſt Cauſe to ſuſpect

that

'that Sir *Wm. Wyndham*, Sir *John Packington*, 'Mr. *Edward Harvey*, *Sen.* of *Combe*, Mr. 'Thomas *Forſter*, *Jun.* Mr. *John Anſtis*, and 'Mr. *Corbet Kynaſton*, are engaged in a Deſign 'to ſupport the intended Invaſion of this King-'dom, hath given Order for apprehending 'them; and His Majeſty deſires the Conſent 'of this Houſe to his cauſing them to be com-'mitted and detained, if he ſhall judge it neceſ-'ſary ſo to do, in purſuance of the late Act of 'Parliament for impowering His Majeſty to 'commit and detain ſuch Perſons as His Maje-'ſty ſhall ſuſpect are conſpiring againſt his Per-'ſon and Government.' Hereupon it was *reſolved*, *Nemine contradicente*, That an humble Addreſs be preſented to His Majeſty, returning the Thanks of this Houſe for his gracious Meſſage this Day, and for his tender Regard to the Privileges of this Houſe; and to deſire that he will be pleaſed to give Orders for the committing and detaining the ſeveral Members named in the ſaid Meſſage, purſuant to the Act of this Seſſions of Parliament for that purpoſe.

Hereupon Warrants were iſſued out for apprehending the Six Members beforemention'd; Two of whom, who happen'd to be in Town, *viz.* Mr. *Harvey* of *Combe*, and Mr. *Anſtis*, were immediately ſecured. *Warrants iſſu'd to apprehend them.*

The ſame * Day, the Lords ſent a Meſſage to acquaint the Commons, 'That Their Lordſhips 'having addreſs'd His Majeſty, humbly to de-'ſire that he would be pleaſed to cauſe Di-'rections to be given to the proper Officers for 'preparing a Scaffold in *Weſtminſter-Hall*, for the 'Tryal of *Robert* Earl of *Oxford* and Earl '*Mortimer*, who now ſtands impeached, by this 'Houſe, of High Treaſon and other High 'Crimes and Miſdemeanors, His Majeſty had 'been graciouſly pleaſed to ſay, *He would give* '*Directions to the Proper Officers purſuant to the* '*ſaid Addreſs.* * Sept. 21ſt. *Scaffold order'd to be built in* Weſtminſter-Hall.

The ſame Day, likewiſe, the King went to the Houſe of Peers and the Commons attending, the Speaker, upon preſenting the ſeveral Money Bills, made the following Speech to his Majeſty:

Moſt Gracious Sovereign,

The Speaker of the Commons his Speech to His Majeſty.

YOUR Majeſty's moſt dutiful and loyal Subjects, the Knights, Citizens, and Burgeſſes in Parliament aſſembled, have now finiſhed the Supplies granted to Your Majeſty for the Service of this preſent Year. Your Commons had much ſooner offered theſe Supplies to Your Majeſty, had not their Zeal for Your Majeſty's Service, and the Duty they owe to their Country, led them into Enquiries which have drawn this Seſſions to an unuſual Length.

But your Commons could not ſee, without the utmoſt Indignation, the Glories of Her Late Majeſty's Reign tarniſhed by a treacherous Ceſſation of Arms; the Faith of Treaties violated; that ancient Probity, for which the Engliſh *Nation had been juſtly renowned throughout all Ages, expoſed to Scorn and Contempt; and the Trade of the Kingdom given up by inſidious and precarious Treaties of Commerce; whilſt the People, amuſed with New Worlds explored, were contented to ſee the moſt advantageous Branches of their Commerce in* Europe, *loſt or betray'd.*

Such was the Condition of this Kingdom, when it pleaſed the Divine Providence to call Your Majeſty to the Throne of your Anceſtors, under whoſe auſpicious Reign your Commons with Pleaſure behold the Glories of the PLANTAGENETS *(Your Majeſty's Royal Anceſtors) revive; and have an unbounded Proſpect of the Continuance of this Happineſs, even to the lateſt Poſterity, in a Race of Princes lineally deſcended from Your Majeſty.*

And that nothing might be wanting on the part of your Commons, to eſtabliſh Your Majeſty's Throne on Solid and Laſting Foundations, they have apply'd themſelves, with unweary'd Diligence, to vindicate the Honour of the Britiſh Nation, *and*

to

to restore a mutual Confidence between this Kingdom and its ancient and faithful Allies, by detecting the Authors of these pernicious Counsels, and the Actors in these treacherous Designs, in order to bring them to Justice, by the Judgment of their Peers, according to the Law of the Land, and the Usage of Parliament.

It was not to be expected, but that the Enemies to the Nation's Peace would use their utmost Endeavours to obstruct your Commons in these Enquiries; but despairing of any Success in the Representative Body of the Kingdom, they fomented Tumults among the Dregs of the People at Home, and spirited up the Pretender to an Invasion from Abroad. This gave your faithful Commons fresh Opportunities of shewing their Affection to Your Majesty's Person, and their Fidelity to your Government, by their unanimous Concurrence in granting such Supplies as were sufficient to disappoint the one, and by their passing such Laws as were necessary to suppress the other; and, in every respect to express their Abhorrence of a Popish Pretender, concerning whom nothing remains unsuspected but his Bigottry to Superstition, and his Hatred to our holy Religion; for the Advancement of which Your Majesty has express'd your pious Care, by recommending to your Commons the providing a Maintenance for the Ministers who are to officiate in the New Churches. This your Commons readily comply'd with, trusting that the Prayers, there offer'd to the ALMIGHTY, will bring down a Blessing on all Your Majesty's Undertakings; and not doubting, but that the Doctrines there taught will be a Means to secure the Quiet of your Kingdoms, and the Obedience of your People.

The Revenues set apart for the Uses of the Civil Government, your Commons found so much intangled with Mortgages and Anticipations, that what remained was far from being sufficient to support the Honour and Dignity of the Crown: This your Commons took into serious Consideration, and being truly sensible, that on Your Majesty's Greatness the Happiness of your Subjects entirely depends, they

have

have put the Civil *Revenues into the ſame State, in which they were granted to Your Majeſty's glorious Predeceſſor, King* William, *of Immortal Memory; and thereby enabled Your Majeſty to make an ample Proviſion for the Prince of* Wales, *whoſe heroick Virtues are the beſt Security of Your Majeſty's Throne, as his other Perſonal Endowments are the Joy of all your Faithful Subjects.*

I ſhould but ill diſcharge the Truſt repoſed in me by the Commons, did I not lay before Your Majeſty with what Cheerfulneſs they received Your Majeſty's gracious Intentions for Her Royal Highneſs the Princeſs, *and with how much Readineſs and Unanimity they enabled Your Majeſty to ſettle a Revenue ſuitable to the Dignity of a Princeſs, whoſe Piety and ſteady Adherence to the* Proteſtant Religion, *is the Glory of the preſent Age, and will be the Admiration of all future Generations.*

May it pleaſe Your Majeſty,

The Bills which the Commons have prepared to compleat the Supplies for this Year's Service, and for the other Purpoſes I have mentioned, are ſeverally intitled,

1. An Act to enable His Majeſty to ſettle a Revenue for ſupporting the Dignity of Her Royal Highneſs, *&c.*

2. An Act for enlarging the Capital Stock and Yearly Fund of the *South-Sea-Company, &c.*

3. An Act for making Proviſion for the Miniſters of the fifty new Churches *&c.*

Which they with all Humility now preſent to Your Majeſty, for your Royal Aſſent.

After this His Majeſty gave the Royal Aſſent to the three Acts before-mention'd, and to ſeveral *publick* and *private Bills,*

Then his Majeſty was pleaſed to declare from the Throne, That he had order'd the Lord Chancellor to deliver His Majeſty's Speech to Both Houſes of Parliament, in His Majeſty's Name and Words; which he did accordingly, as follows:

The King's Speech to both Houſes.

My Lords and Gentlemen,

I Am perſwaded you are all by this time very deſirous of ſome Receſs, and that it cannot

be defer'd longer, without great Inconvenience to your Private Affairs.

But before I can part with you, I muſt return you my moſt Sincere Thanks for your having Finiſhed, with ſo much Wiſdom and Unanimity, what I recommended to your Care; And particularly I muſt Thank you, *Gentlemen of the Houſe of Commons*, for the Proviſion you have made, as well for the Support of the Honour and Dignity of the Crown, as for the other neceſſary Occaſions of the Publick; eſpecially for your having done it by Means ſo little burdenſome to my People; which, I aſſure you, recommends the Supplies to me above any other Circumſtance whatſoever.

My Lords and Gentlemen,

The Open and Declared Rebellion, which is now actually begun in *Scotland*, muſt convince all, who do not wiſh to ſee us given up into the Hands of a Popiſh Pretender, of the Dangers to which we have been, and are ſtill expoſed.

I thought it Incumbent upon me, to give you the Earlieſt Notice of the Deſigns of Our Enemies, and I cannot ſufficiently commend the Zeal and Diſpatch with which you Impower'd me, at a Time when the Nation was in ſo Naked and Defenceleſs a Condition, to make ſuch Preparations as I ſhould think Neceſſary for Our Security. You ſhall have no reaſon to repent of the Truſt and Confidence you repoſe in me, which I ſhall never uſe to any other End than for the Protection and Welfare of my People.

It was ſcarce to be Imagined, That any of my *Proteſtant* Subjects, who have Known and Enjoyed the Benefits of our Excellent Conſtitution, and have heard of the great Dangers they were wonderfully delivered from by the happy Revolution, ſhould by any Arts and Management be drawn into Meaſures that muſt at once Deſtroy their Religion and Liberties, and ſubject them to Popery and Arbitrary Power: but

ſuch

ſuch has been Our misfortune, that too many of my People have been deluded, and made Inſtrumental to the Pretender's Deſigns, who had never dared to think of Invading us, or Raiſing a Rebellion, had he not been Encouraged by the Succeſs his Emiſſaries and Adherents have already had in Stirring up Riots and Tumults, and by the further Hopes they entertain of Raiſing Inſurrections in many Parts of my Kingdoms.

The Endeavouring to perſwade my People, That the Church of *England* is in Danger under my Government, has been the main Artifice imployed in Carrying on this Wicked and Traiterous Deſign. This Inſinuation, after the Solemn Aſſurances I have given, and my having laid hold on all Opportunities to do every Thing that may tend to the Advantage of the Church of *England*, is both Unjuſt and Ungrateful; Nor can I believe ſo Groundleſs and Malicious a Calumny can make any Impreſſion upon the Minds of my Faithful Subjects, or that they can be ſo far miſled, as to think the Church of *England* is to be Secured by Setting a Popiſh Pretender on the Throne.

My Lords and Gentlemen,

The Proofs this Parliament has given of their Unſhaken Duty and Affection to me, and of their Love and Zeal for the Intereſt of their Country, will recommend you to the good Opinion and Eſteem of all who have their Religion and Liberty truly at Heart, and has laid a Laſting Obligation upon me; and I queſtion not but by your further Aſſiſtance in the ſeveral Countries to which you are going, with the Bleſſing of Almighty God, who has ſo frequently Interpoſed in Favour of this Nation, I ſhall be Able to diſappoint and defeat the Deſigns of Our Enemies.

Our Meeting again to do Buſineſs Early in the next Winter will be uſeful on many Accounts, particularly, that the Sitting of Parliaments may be again brought into that Seaſon of the Year which is moſt convenient; and that as little Delay may be given as is poſſible to your Judicial Proceedings; and I ſhall at preſent give ſuch Orders to my Ld. Chancellor, as may not put it long out of my Power to meet you on any Sudden Occaſion.

And then the Lord Chancellor, by His Majeſty's Command, ſaid,

My Lords and Gentlemen,

IT is His Majeſties Royal Will and Pleaſure, That both Houſes ſhould forthwith ſeverally adjourn themſelves to *Thurſday* the Sixth Day of *October* next.

APPENDIX.

I. The Queen to the Earl of *Godolphin*.

St. *James's*, *April* 13th, 1710.

I *Am ſorry to find by your Letter, you are ſo very much in the Spleen, as to think you cannot, for the future, contribute any thing towards my Quiet, but your Wiſhes; however, I will ſtill hope you will uſe your Endeavours: Never was there more Occaſion than now; for by all one hears and ſees every Day, as things are at preſent, I think one can expect nothing but Confuſion. I am ſure, for my part, I ſhall be ready to join with all my Friends in every thing that is reaſonable, to allay the Heat and Ferment that is in this poor Nation. Since you went to* Newmarket, *I have receiv'd ſeveral Aſſurances from the Duke of* S------y *of his Readineſs to ſerve me upon all Occaſions, and his Willingneſs to come into my Service; which Offer I was very glad to accept of, having a very good Opinion of him, and believing he may be of great Uſe in theſe troubleſome Times. For theſe Reaſons, I have reſolv'd to part with the Duke of* K--t, *who, I hope, will be eaſy in this Matter, by being made a Duke; and I hope that this Change will meet with your Approbation, which I wiſh I may ever have in all my Actions. I have not yet declared my Intentions of giving the Staff and the Key to the Duke*

of S------y, *because I would be the First that should acquaint you with it.*

The Earl of Godolphin *to the* QUEEN.

Newmarket, April 15. 1710.

'I Have the Honour of Your Majesty's Letter of the Thirteenth, by which I have the Grief to find that which you are pleased to call *Spleen*, in my former Letter, was only a true Impulse and Conviction of Mind, that Your Majesty is suffering your self to be guided to your own Ruin and Destruction, as fast as it is possible for them to compass it, to whom you seem so much to hearken.

'I am not therefore so much surprized as concerned, at the *Resolution* which Your Majesty says you have taken, of bringing in the Duke of *S*------*y*; for when People began to be sensible it would be difficult to persuade Your Majesty to dissolve a Parliament, which, for Two Winters together, had given you above Six Millions a Year for the Support of the War, upon which your Crown depends, and even while that War is still subsisting, they have had the Cunning to contrive this Proposal to Your Majesty, which, in its Consequence, will certainly put you under a Necessity of breaking the Parliament, tho' contrary, I yet believe, to your own Inclination.

'I beg Your Majesty to be persuaded, I do not say this out of the least Prejudice to the Duke of *S*---*y*; there is no Man of whose Capacity I have had a better Impression, nor with whom I have lived more easily for above Twenty Years.

'Your Majesty may please to remember, that at your first Coming to the Crown, I was desirous he should have had one of the Chief Posts in your Service; and it would have been

'happy

'happy for Your Majesty and the Kingdom, if 'he had accepted that Offer; but he thought fit 'to decline it; and the Reasons generally given 'at that Time, for his doing so, do not much re-'commend him to Your Majesty's Service. But I 'must endeavour to let Your Majesty see 'Things as they really are: And to bring him 'into your Service, and into your Business, at 'this Time, just after his being in a publick open 'Conjunction, in every Vote, with the whole 'Body of the *Tories*, and in private constant 'Correspondence, and Caballing with Mr. '*Harley* in every thing; what Consequence can 'this possibly have, but to make every Man that 'is now in your Cabinet uneasy, and run from 'it as they would do from the Plague? I leave it 'to Your Majesty to judge, what Effect this en-'tire Change of your Ministry will have among 'your Allies Abroad, and how will this War be 'like to be carried *in their Opinion*, by those who 'have all along opposed and obstructed it, and 'who will like any Peace the better, the more it 'leaves *France* at Liberty to take their Time of 'imposing the *Pretender* upon this Country.

'These Considerations must certainly make '*Holland* run immediately into a separate Peace 'with *France*, and make Your Majesty lose all 'the Honour, and all the Reputation your Arms 'had acquir'd by the War, and make the King-'dom lose all the Fruit of that vast Expence 'which they have been at in this War: as well 'as all Advantage and Safety which they had so 'much need of, and had so fair a Prospect of ob-'taining by it. And can any Body imagine that 'after so great a Disappointment to the Kingdom 'there will not be an Enquiry into the Causes of it 'and who have been the Occasion of so great a 'Change in Your Majesty's Measures and Coun-'cils, which had been so long successful, and 'gotten you so great a Name in the World? I am 'very much afraid Your Majesty will find, when

'tis too late, that it will be a difficult Task for any Body to ſtand againſt ſuch an Enquiry. I am ſure if I did not think all theſe Conſequences inevitable, I would never give Your Majeſty the Trouble and Uneaſineſs of laying them before you, perſuaded as I am, that Your Majeſty will find them ſo, it is my indiſpenſible Duty to do it, out of pure Faithfulneſs and Zeal for Your Majeſty's Service and Honour.

'Your Majeſty having taken a Reſolution of ſo much Conſequence to all your Affairs both Abroad and at Home, without acquainting the Duke of *Marlborough* or me with it, till after you had taken it, is the leaſt Part of my Mortification in this whole Affair, tho' perhaps the World may think the long and faithful Services we have conſtantly and zealouſly endeavoured to do Your Majeſty, might have deſerved a little more Conſideration.

'However, for my own part, I moſt humbly beg Leave to aſſure Your Majeſty I will never give the leaſt Obſtruction to your Meaſures, or to any Miniſters you ſhall pleaſe to employ. And I muſt beg further to make Two humble Requeſts to Your Majeſty; One, That you will allow me to paſs the Remainder of my Life always out of *London*, where I may find moſt Eaſe and Quiet; the other, That you would keep this Letter, and read it again about *Chriſtmaſs*, and then be pleaſed to make your Judgment, who has given you the beſt and moſt faithful Advice.

II. Mr. *A. Boyer*'s Letter to the E. of *Oxford*; *Nov.* 19. 1711.

My Lord,

HOwever I may, of late, have been repreſented to you, either by my own profeſt, or Your Lordſhip's conceal'd Enemies, I hope I have given both Your Lordſhip and the World ſufficient and repeated Proofs how heartily I am devoted to your Service. To the former Inſtances I preſume to add the Sending Your Lordſhip the Inclos'd, which being in many Hands in Holland, may create a Worſe Opinion of ſome People here than, I hope, they deſerve; and is, at leaſt, a Proof, that Monſieur Meſnager is very indiſcreet, or that the Court of France deſigns to divide the Engliſh, as well as the Allies. I profeſs my ſelf, My Lord, as ready upon all Occaſions within my ſmall Sphere, to render the moſt acceptable Service to Your Lordſhip: But as I have not been importunate to ſollicit a Reward for any thing I have hitherto done, ſo I was lately extremely ſurprized, for being, on the contrary, proſecuted for a Pamphlet wherein I mainly deſign'd to ſerve Your Lordſhip, in Caſe, which ſeem'd not impoſſible, the Negotiations ſhould break off; as

I may demonſtrate, if you'll vouchſafe to give me the Permiſſion to wait on Your Lordſhip; I am with profoundeſt Reſpect,

My Lord,

Your Lordſhip's, &c.

Nov. 19. 1711.

A. Boyer.

Tranſlation of the *French* Letter ſent by Mr. *A. Boyer.* to the E. of *Oxford.*

A Paris ce 19e Nov. 1711.

III. JE n'ai rien à vous mander aujourd'huy, qu'à vous confirmer ce que je vous ai ecrit dans mes precedentes, touchant les Preliminaires & la Paix avec l'*Angleterre*; non pas que je croye tout au Pied de la Lettre, comme on le dit; mais il eſt certain que Mr. *Meſnager* affecte de la publier comme ſeure & arrêtée: Il ne ſe fait point d'Affaire de le repeter avec ceux qui ont l'Occaſion de l'en entretenir. Il appuye, ſur tout, ſur les *Avantages accordez en Faveur du Prince de* Galles; ce qui paroit à quelques un peu naturel; particulierement quand il jugent du Poids de cette Affaire par l'Eſprit de Monſieur *Meſnager*, qui n'a jamais paſſé pour Grand Genie, quoy qu'il ſoit Grand Chicaneur. On a même été ſurpris qu'on ait voulu l'employer dans de telles Affaires, auxquelles il

Paris, Nov. 19. *N.S.* 1711.

I *Have nothing to write to you to Day, but only to confirm what I wrote to you in my Former, concerning the Preliminaries and the Peace with* England; *not that I believe all to be literally true, as 'tis reported; but 'tis certain Monſieur* Meſnager *affects to publiſh it as a thing ſure and concluded: Nor does he ſcruple to repeat it to thoſe who have the Opportunity to diſcourſe with him about it. He lays, above all, a great Streſs on* the Advantages granted in Favour of the Prince of *Wales*; *which appears to ſome not very likely; particularly when they compare the Weight of this Affair with the Parts of Monſieur* Meſnager, *who never paſs'd for a Great Genius, tho' he be very good at* Chicaning. *People have even been ſurprized to ſee him employed in ſuch Affairs, to which, every Body knows, he never*

eſt connn qu'il n'a jamais eu Sujet de s'appliquer ; mais comme il eſt fin, il a ſeu s'introduire dans les bonnes Graces de la Confidente de Madame de *Maintenon.*

Monſieur de *Villars* eſt de Retour, & a été reçu de la plus agréable maniere du Monde, ce qui rétablit fort le Credit de Madame de *Maintenon*, qu'on croyoit fort affoibli par l'Aſcendant du *Dauphin*, lequel n'aime point ce Maréchal ; non pas tant à Cauſe de ſa Perſonne, qu'à Cauſe de ſon Attachement pour Madame de *Maintenon*, qui, de ſon Coté, croit qu'il y va de ſon Honneur, de ſoutenir ce General, qu'elle a élevé aux Depens de Feu M. de *Catinat*. Monſieur le *Dauphin* a cependant fait à ce Maréchal un Accueil fort gracieux, le felicitant, neantmoins, non ſur ce qu'il a fait pendant la Campagne, mais ſur ce qu'il a eu le Bonheur de plaire au Roy ; ce qui n'a pas manqué d'être remarqué par les Courtiſans.

P. S. *Dans ce Moment on vient de me dire, Que Monſieur* Meſnager *avoit dit à une Perſonne de Diſtinction, Qu'il* eſperoit de voir bien tôt le Jour qu'on rameneroit le Prince de *Galles* en *Angleterre* avec le même Empreſſement qu'on fit autrefois le Roy *Charles* Second.

never had Occaſion to apply himſelf ; but being a Cunning Fellow, he found Means to ſcrew himſelf into the good Graces of Madam de Maintenon*'s Confident.*

Monſieur de Villars *is come back, and was received in the moſt agreeable Manner ; which very much reſtores Madam* de Maintenon*'s Credit, which was thought to be much weaken'd by the Aſcendant of the* Dauphin, *who does not love that Mareſchal, not ſo much by Reaſon of a Perſonal Diſlike, as of his Attachment for Madam* de Maintenon, *who, on her part, thinks her ſelf, in Honour, concern'd to ſupport that General, whom ſhe raiſed at the Expence of the Late Monſieur* de Catinat. *In the mean Time the* Dauphin *has made that General a very generous Welcome, congratulating with him, however, not for what he has done during the Campaign, but on his having been ſo fortunate as to pleaſe the King ; which fail'd not being taken Notice of by the Courtiers.*

P. S. I was told this very Moment, That Mr. *Meſnager* has ſaid to a Perſon of Diſtinction, That *he hoped ſhortly to ſee the Day, when the Prince of* Wales *ſhould be brought back into* England, *with the ſame Eagerneſs as was heretofore King* Charles *the Second.*

IV.

EXTRACT of a Private Letter from Paris, *dated the 5th of* Dec. *N. S.* 1711, *ſent to the Earl of* Oxford *by Mr.* A. Boyer.

THE Court is ſatisfy'd beyond Expreſſion with the Queen of *England* and her Miniſters. They are, in a particular manner, very well pleas'd with the Earl of *Strafford*, who, by his good Conduct, has, in ſome Meaſure, engag'd or forc'd the States of *Holland* to conſent to the Conferences. We had ſome Time been under an Apprehenſion, that the Earl of *Oxford* could not put in Execution his good Intentions for *Peace*, by Reaſon of the Reluctancy their *High Mightineſſes* ſhew'd to enter into a Negotiation; without the previous Conſent of the Emperor, and of a powerful Party which has been form'd in the Parliament, againſt the Preliminaries: Wherefore we are aſſur'd that the King had ſent a truſty Perſon to the Earl of *Oxford*, to offer him all manner of Aſſiſtance in Caſe of Neceſſity. But there is arriv'd here from *London* a Perſon, whoſe Name is not yet well known (tho' he is ſaid to be either Mr. *Prior* or Mr. *Cole*) who has not only aſſur'd the King, That the Queen remain'd firm to her Engagements, but alſo that there was nothing more to be fear'd, ſince the *Hollanders* had conſented to the Congreſs; and as for the Parliament, that it would be prorogued, in Caſe the Majority were againſt a Peace; which, however, there was no Ground to believe. In ſhort every thing has ſucceeded beyond our Hopes, and we reckon that the Peace will be concluded before the Month of *March*. We believ'd hitherto that we muſt have had Peace by the Canal of the *Dutch*; but their Sullenneſs has been very advantageous to us. People exclaim, with great Bitterneſs, againſt the Stiffneſs they ſhew'd in the Negotiations begun with them; and, in particular,

ticular, very much diſſatisfied with the *Great Penſionary*; but their being mortified to ſuch a Point, by the Earl of *Strafford*, as to be obliged to admit us upon ſo advantageous Conditions, cauſes here an unexpreſſible Joy.

On the other Hand, we receive this further Advantage from it, that we have thereby found Means to raiſe Funds for the next Campaign, the Diſcounts upon the Bills, Rents, and other Aſſignments, having falleu 34 *per Cent.* Therefore I leave you to judge whether we have not Reaſon to rejoice, and to cry *Victory*; ſince we are inform'd that, in *England*, there has been no Conſiderable Alteration in the publick Funds. What a Mortification muſt this be for the *Whigs*, ſince, at the Time it was moſt in their Power to compaſs their Ends, and reap ſo happily the Fruits of their Victories, they ſee their Hopes vaniſh'd into Smoke. As for the Allies, they ſhall find us eaſy enough, provided King *Philip* be left in Poſſeſſion of *Spain* and the *Indies*. But, if, contrary to our Expectation, a Peace ſhould not be made. We have however got this Advantage, That all our Funds for the next Campaign are ready provided; which could not have been done without great Difficulty, but for this Negotiation. Our Ambaſſadors are to ſet out for *Utrecht* the 15th Inſtant.

N. B. *The Communication of the Two foregoing Letters was pretty well receiv'd; and Mr.* Boyer *was, a few Days after, deſired to write his Thoughts on the preſent Conjuncture, which he did, as follows.*

V. *Dec.* 9. 1711.

Thoughts on the preſent State of Affairs in Great Britain.

Laid before the Lord Treaſurer.

By Mr. A. Boyer.

On the Miniſtry.

THAT the preſent Miniſtry ſtands on too Narrow a Bottom, plainly appears from the Diſcontents not only among the Money'd Men, but alſo among ſome Country-Gentlemen, who have long been kept in Expectation of Places; and more viſibly from the *late Defection* of ſome Peers, who either were promis'd, or thought themſelves intitled to a Share in the Adminiſtration. What Alteration this Defection has occaſion'd in the Humour and Temper of the Houſe of Peers, ſufficiently appear'd on *Friday* Laſt. What further Effects it may have is not eaſy to foreſee: But how any Ill Ones may be prevented, is not unworthy the Attention of thoſe at the Helm.

If, as there is Reaſon to ſuppoſe, a *Coalition of Parties* was intended upon the Late *Alterations*, the ſame Counſel may now be purſued, with as great Benefit, and more Probability of Succeſs; the ſtrong Footing the preſent Miniſtry has got at Court, leaving ſcarce any reaſonable Hopes to the Friends of the Laſt, to come again into Play, but by the Canal of the *Lord Treaſurer*; with whom ſome Great Men, who have no private Piques, are thought not to be diſinclin'd to join. The Perſons meant are eaſily gueſt: Nor would their Admiſſion be any Diminution of My Lord *Treaſurer*'s Power, who might ſtill act the Prime Part; and, on the other Hand, he would

would reap this Advantage, That the Perſons ſo admitted would both keep their Friends, whether *Landed* or *Money'd Men*, ſteddy to his Intereſt; and, in Caſe of any *Dubious Steps* (to which *humane Nature* is unavoidably ſubject) would bear an equal Share in the Reflection; whereas he is now, in great Meaſure, made accountable for every thing that's done or thought amiſs.

If the Counſel there propos'd were embrac'd, it were further adviſeable to put it in Execution, in ſuch a manner, as that a few more of the Landed Gentlemen, called *Tories*, ſhould be poſſeſs'd only of the Subordinate Places of Profit, in the Cuſtoms, Exciſe, *&c.* and that two or three Peers of moſt Weight, and leaſt obnoxious, of the other Party, ſhould be brought into the Adminiſtration: Which, in all Probability, would make both Parties very eaſy, and take off the Diſguſts of the one, and remove the Jealouſies of the other.

On the Negotiation of Peace.

AS to the Ferment and Clamour which is now rais'd, both among the People and in Parliament, againſt the preſent *Negotiation of Peace*, an admirable and moſt beneficial Uſe may be made of the ſaid Negotiation, by the Miniſtry: For if they make *true* this Aſſertion, *That the Preliminaries lately publiſh'd were only Propoſals made by* France, not finally accepted as the Baſis of a Treaty; and if, on the other Hand, Her Majeſty declares her ſelf firmly reſolv'd, not to conclude a Peace, unleſs *it be ſafe, honourable and laſting*; and without procuring Satisfaction to all her Allies; theſe Advantages will reſult: *Firſt*, The Enemy, who certainly want *Peace*, will be the more inclin'd to come to our Terms; *Secondly*, Such, among our Allies, as have entertain'd moſt Jealouſy of the Negotiation, will be convinc'd, that it was only intended for the general Good, and to aſſert the Dignity of our Crown and Nation. For as we have contributed

moſt towards the War, ſo ought we to have the Principal Share in making the Peace. And, *Thirdly*, This Conſideration will oblige the Allies, eſpecially the Emperor and Empire, to make their utmoſt Efforts to carry on the War, which may leſſen our Yearly Expences, in proportion to their augmenting theirs.

And here I can by no means agree with the common Notion, That the preſent Miniſtry cannot ſupport themſelves without a *Peace*; for, on the contrary, I am of Opinion, that nothing can more firmly fix them, than *the carrying on the War a Year* or two longer, till a Tryal be made how far the Emperor will exert himſelf for the Recovery of *Spain*; and how far we can penetrate into *France*, to oblige that Monarch to recall his Grandſon: Whereas, conſidering the preſent general *Diſlike of a Peace*, whereby *Spain* and the *Weſt Indies* will be left in the Poſſeſſion of King *Philip*, the purſuing of ſuch a *Treaty* may be attended with the *Ruin of the Miniſtry* and other *Fatal Conſequences*.

VI. *January* 1. 1711-12.

Further Thoughts on the preſent State of Affairs. Laid before the Lord Treaſurer by Mr. A. Boyer.

THE Creation of *Ten Peers*, beſides *Two Lords* call'd up by Writ, has uſher'd in the New Year with a New Scene of Speculation.

As the declar'd Enemies of the preſent Miniſtry repreſent this Step in the blackeſt Colours, ſo, undoubtedly, the Courtiers applaud it as a moſt ſeaſonable Counſel to vindicate the *Prerogative*. But thoſe who wiſh well both to the *Miniſtry* and to *Great Britain*, avoid both Extremes and venture fairly to lay before them the Thoughts of the Publick, on this uncommon *State-Phænomenon*.

The making ſo many Barons at *one Daſh* is, by the moſt Undiſcerning, look'd upon as too Deep a *Reſentment* of the late Judgment of the Peers in relation to the Duke of *Hamilton*'s Sitting in their Houſe as Duke of *Brandon*; by Men

Men of Clearer Notions, as a fix'd Deſign to get a Majority in the Houſe of Lords, in order to procure the unanimous Ratification of both Houſes, of *a Treaty already agreed on*, and ſhortly to be concluded in a formal *Congreſs*; and by many, as a *bold Advance to more Sinister Deſigns*.

Waving the (I hope) Ill-grounded Surmiſes of the Laſt, it ought to be obſerv'd, that even many of the beſt Friends to Monarchy, in the City, could not forbear to expreſs both their Wonderment at this Counſel, and their Dread of its Conſequences; and tho' the ſame was, at firſt, look'd upon as a ſure Sign of an approaching Peace, and thereupon occaſion'd a ſmall Riſing in the Stocks, yet, upon a nearer Inſight into the Matter, it caus'd them to fall lower than before.

To this we may add, the Diſguſt this *numerous Creation* has given to the Old Nobility; inſomuch that a Conſultation is ſaid to have been held on *Sunday* laſt, wherein it was propos'd, either not to admit theſe new Peers, or to proteſt againſt their being made to *ſerve a Turn*, during the Sitting of Parliament, as contrary to the old Conſtitution, and an Encroachment upon the *Legiſlature*. If either of theſe be attempted, it will be a Point of extreme Nicety for thoſe at the Helm, to carry things ſo fair and even between the *Crown* and the *Peerage*, as to prevent a Contention, which, at this tickliſh Juncture, may be attended with the moſt Fatal Conſequences.

On the other Hand, it is to be apprehended, that tho' the Lords ſhould purſue neither of theſe *two violent Counſels*, yet ſome of the Court-Peers may be ſo far diſguſted and ſtagger'd by this new Creation, as to be eaſily drawn over to the oppoſite Party. In which Caſe the Deſigns of the Miniſtry would be entirely baffled; their Policy expos'd; and their Fall almoſt inevitable.

What may be done, either to take off the Edge of the Diſguſts or Jealouſies occaſion'd by this Creation, or to prevent any Dangers it may threaten, muſt be left to the Wiſdom of thoſe at the Helm.

I ſhall, however, preſume to offer, that, in order to obtain theſe Ends, it were adviſeable that the *New Lords*, upon their Admiſſion into the Houſe, ſhould not, with *one Cry*, run down whatever ſhall be propos'd by the oppoſite Party, but rather, if poſſible, leave any Motion or Bill that claſhes with the Intereſt of the Crown, to be defeated, either by the Houſe of *Commons*, or by the *Prerogative*: Which, however, at any Time, a Wiſe Miniſter will not uſe, without great Neceſſity; and, in the preſent Ferment, ſhould not be exerted, without extreme Caution.

To come cloſer to the Point, it is, in the firſt Place, Matter of Policy and Prudence to ſhew a great Regard to the Elector of *Hanover*, ſince he has declár'd himſelf concern'd in the Steps that ſhall be taken at this Juncture, and expreſs'd his Apprehenſions of being *ſupplanted*.

This leads us to the Grand Affair now depending, *viz.* The *Negotiation of Peace*. 'Tis the general Opinion, as was hinted before, that a Treaty between *England* and *France* is already agreed on; and that the Congreſs is only a Matter of Form, in order to engage the *Dutch* in the firſt Place, and then the Emperor, and the reſt of the Confederates, in ſuch a Treaty as the *Engliſh*, who ſhall, in Reality, act the Part of *bare Mediators*, have either c ncerted, or ſhall concert, with the *French* Miniſters.

Suppoſing this to be the Caſe, there may, indeed, be no great Difficulty to bring the *Dutch* into our Meaſures: For that wiſe Republick having got a ſufficient *Barrier*, will, if our Miniſters inſiſt upon it, pay all manner of Deference to the Queen's Deſires, rather than take upon their Shoulders the Weight of a War, by which they are very much exhauſted; and if the *Dutch* come into our Meaſures, it may ſeem, at firſt Sight, that no Clamour can be rais'd againſt a Treaty concluded in Concert with thoſe Allies, from whoſe Intereſts Her Majeſty has *juſtly declar'd her own to be inſeparable*.

But

But whatever fair Proſpect the expected Conſent of the *Dutch* may yield, to *allure the preſent Miniſtry* to purſue their late Scheme, they ought not, in Prudence, to overlook the Dangers that may attend ſuch a Counſel. I ſhall touch upon the moſt Obvious.

In the firſt Place, It may be taken for granted that the *Dutch* do not come freely and heartily into a Negotiation, which was firſt ſet on Foot without them, by *Britiſh* Miniſters, whom either they look'd upon as *their Enemies*, or whom they may be apprehenſive they have made ſo, by their interpoſing in Favour of the *late Miniſtry*: And as all Men are apt to entertain the ſame Sentiments, in relation *to reputed*, as to *real Enemies*, ſo 'tis very probable, that the *Dutch* will hardly ever have any Cordiality for this Miniſtry, or repoſe an entire Confidence in them; but will rather be apt to lay hold on any fair Opportunity to favour their Enemies.

Secondly, The Removal and Diſgrace of the Duke of *Marlborough*, which will infallibly occaſion a general Conſternation in *Holland*, will alſo increaſe both their *Diſtruſt of our Miniſtry*, and their *Jealouſies of this Negotiation*, and put them upon Thoughts of ent'ring into ſecret Alliances and Treaties with the Princes of *Germany*, both for their *mutual Security and Defence*, and for the maintaining the Elector of *Hanover's juſt* Claim to the Succeſſion of our Crown.

3. 'Tis not eaſy to gueſs how far ſuch a League as the *Dutch* may enter into with the Princes of the Empire, may diſturb the Quiet of Her Majeſty's Reign: But we may well ſuppoſe, from the Experience of paſt Tranſactions, particularly the Revolution in 1688, that as the *Dutch* are by the *Barrier Treaty*, Guarantees of our Succeſſion, they may be apt to think themſelves proper Judges of the Dangers to which the ſame may hereafter be expos'd.

4. On the other Hand, 'tis to be apprehended that the Elector of *Hanover* having begun to

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look into our Affairs, he will ſtill keep a watchful Eye on the Steps and Motions *of our Miniſtry:* And as he has ſolemnly declar'd his Opinion *againſt a Treaty of Peace*, by which *France* and the *Weſt Indies* ſhall be left in the Hands of the Duke of *Anjou*; which, in Effect, is the *Opinion of the* major *Part of the Nation*, a Wiſe Miniſtry will certainly conſider how they proceed in a Treaty, upon ſuch a Foot.

If therefore we are not engag'd beyond a Poſſibility of a fair Retreat, it ſeems adviſeable to *carry on the War a Year or two longer*, till a Tryal be made, whether we can get *Spain* by the Way of *France*; in which Caſe we may leſſen our Yearly Expences, in Proportion to the Emperor's and Empire's increaſing theirs, as they will undoubtedly offer to do.

Beſides the vaſt Advantages that would accrue to the common Cauſe in general, and to *England* in particular, from the Recovery of *Spain* and the *Weſt Indies*, the Proſecution of the War would rather fix than ſhake the preſent Miniſtry, and endear them to the People, who would thereby be convinc'd, that their main Views were for the *Publick Good.*

But if the *Rubicon* muſt be paſs'd, and a *Peace made*, all that a Well-wiſher to the preſent Miniſtry and *Great Britain* can do, is to pray it may prove a *Good one*, and ſuch as may rather ſecure *the* Proteſtant *Succeſſion*, than ſeem *to render it precarious:* Otherwiſe *a* fierce bloody Contention may ſoon enſue, not between *Whig* and *Tory* about Places, but between the Houſe of *Hanover* and the *Pretender*; which God avert.

N. B. *Mr.* A. Boyer *having receiv'd no Favourable Anſwer to this Paper; by which he judg'd that the late Miniſtry were irrecoverably gone into Meaſures quite oppoſite to the Intereſt of* Great Britain; *he never after had any Converſation with them, tho' often courted by their Agents; and, on the contrary, endeavour'd, as far as he could, to expoſe their Proceedings, in his* Political State, *and other Writings.*

FINIS.

The ANSWER *of* THOMAS, *Earl of* STRAFFORD, *to the Articles exhibited by the Knights, Citizens and Burgeſſes in Parliament aſſembled in the Name of themſelves, and of all the Commons of* Great-Britain *in Maintenance of the Impeachment againſt him for High Crimes and Miſdemeanors, ſuppos'd to have been by him committed.*

THE ſaid Earl, ſaving to himſelf all Advantages of Exception to the ſaid Articles for the Uncertainty and Inſufficiency thereof, and of not being prejudiced by any Words or Want of Form in this his Anſwer; and alſo ſaving to himſelf all Rights and Privileges belonging to him as one of the Peers of this Realm: In ANSWER to the ſaid Articles admits, That divers Treaties and Alliances were enter'd into by the Crown of *Great-Britain* with the ſeveral Potentates mention'd in the Preamble to the ſaid Articles, but for more Certainty, as to the Contents thereof, the ſaid Earl refers to the ſaid Treaties themſelves: And with the utmoſt Deference to the Memory of his late Royal Maſter King *William* the Third, doth acknowledge the great Wiſdom of that Glorious Prince, who by the Grand Alliance form'd a Noble Deſign of ſettling a due Ballance of Power in *Europe*; but humbly beggs Leave to obſerve, that the Affront offer'd by *France* in acknowledging the *Pretender* King of *Great-Britain*, tho' juſtly mention'd by Her late Majeſty Queen *ANNE*, of ever-bleſſed Memory, as one Cauſe of the WAR which in *May* 1702, was by Her Declar'd againſt *France* and *Spain*, cou d not be any Inducement to the forming the Grand Alliance, as is ſuggeſted in the Preamble to the ſaid Articles, being ſubſequent to it, as moſt evidently appears in as much as that Alliance was not only form d, but concluded and ſign'd at the *Hague* during the Life Time of the late King *JAMES* the Second. And the ſaid Earl admits, That the Emperor and the States General did alſo about *May* 1702, declare War againſt *France* and *Spain*, and that other Kings, Princes and States of *Europe*, ſoon after, became Parties to the ſaid Confederate War, which having been carry'd on for many Years at a vaſt Expence of Blood and Treaſure, Her ſaid late Majeſty out of Her Tender Regard for the Good of Her People, and from a ſincere and real Deſign to prevent the further Effuſion of Blood, and to eaſe Her Subjects from the heavy Burthen of Taxes, which they had ſo long endured; did

hearken to Overtures of PEACE from *France*, after former Negociations had been render'd fruitleſs, and give Inſtructions to the then Lord Privy-Seal, now Biſhop of *London*, and him the ſaid Earl, to treat thereof at *Utrecht* in Conjunction with the Miniſters of Her Allies, in Order to bring the ſame to an Happy Concluſion, and among ſuch Inſtructions ſeveral Clauſes were interſperſed to the Effect in the ſaid Preamble ſet forth, but for more Certainty, refers to his Original Inſtructions, which together with all his other Papers relating to his Negociations in the *Low-Countries* were taken from him in the Beginning of *January* laſt, and he ſuppoſes may continue in the Hands of one of his Majeſty's Principal Secretaries of State, but the ſaid Earl is totally ignorant of any Treacherous Correſpondence with the Emiſſaries of *France*, or of any Private or Deſtructive Negociation of PEACE ſet on Foot with Intent to weaken or diſſolve the Confederacy between Her ſaid late Majeſty and Her Allies.

ANSWER to the Firſt Article.

AND for particular Anſwer to the ſeveral Matters wherewith he ſtands charg'd in the Firſt Article, the ſaid Earl ſaith, That having been employ'd by his late Majeſty King *William* in the Army during his whole Reign, and likewiſe in his Court for ſeveral Years next before his Death, and having alſo had the Honour to be ſent his Majeſty's Miniſter to the King of *Pruſſia*, he was ſo happy as to reconcile ſome Differences which had lately ariſen between thoſe two Princes, and upon his Return, receiv'd his Royal Maſter's Approbation: Her late Majeſty Queen *ANNE*, ſoon after Her Acceſſion to the Throne, was pleas'd to command him to leave his Poſt in the Army, and to go again to the ſaid Court of *Pruſſia* in the Year 1702, where he had the Character of Her Ambaſſador Extraordinary, and continued in that Quality 'till *April* 1711, at which Time Her Majeſty thought fit to appoint him Her Ambaſſador Extraordinary and Plenipotentiary to the States General, and in *June* following, Her Majeſty was pleas'd to honour him with the Title of One of Her Privy Council, and about *December* in the ſame Year, to appoint him one of Her Plenipotentiaries to treat at *Utrecht* with the Miniſters of *France*, of a General PEACE; And the ſaid Earl thought it his Duty, not to ſcruple any Danger or Pains for Her Service, believing his Zeal therein was the beſt Evidence he

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cou'd give of his hearty Affection to his Country; And he conſtantly did with the utmoſt Sincerity endeavour, according to his Abilities, to purſue the true Ends of his Commiſſion and Powers, to promote the Honour and Safety of Her Majeſty and Her Kingdoms, and to anſwer the Engagements She was under to Her Allies, and to ſecure the common Liberties of *Europe*; but he muſt, with the utmoſt Deteſtation and Abhorrence, deny, that he was in the leaſt devoted to the Intereſt or Service of the *French* King, or that he ever acted in Defiance of any of the ſaid Treaties, or of the Advice of Parliament, or of any Declarations of Her Majeſty from the Throne, or of Her Aſſurances to the States General to act in Concert with them in making PEACE as in making WAR, or of Her Inſtructions to him under Her Sign Manual. The ſaid Earl admits, That as he was a Privy Counſellor, it was his Duty truly to have adviſed Her Majeſty in all Matters treated of in Council while he was preſent, and had any Thing ſo treated of, appeared to him to have been to the Diſhonour of Her Majeſty, or to the Prejudice to Her People, the ſaid Earl wou'd not have been wanting to adviſe againſt, and with all Humility to oppoſe the ſame; but as he was Her Majeſty's Ambaſſador and Plenipotentiary, he look'd upon himſelf as a Miniſterial Officer, whoſe Duty it was to purſue ſuch Inſtructions as he ſhou'd from Time to Time receive; and ſince he cou'd not doubt, but that all Orders ſent him by Her Majeſty's Directions, had been firſt maturely Weighed and Digeſted, He humbly apprehends Your Lordſhips will think it had been too great a Preſumption in him to adviſe againſt, or oppoſe ſuch Orders, which carry'd not in themſelves any apparent Illegality, when he knew not the Springs or Reaſons of them, and which therefore it became him to believe well warranted, and to have proceeded from juſt and proper Grounds and Motives.

And the ſaid Earl ſaith, he was ſo far from Adviſing or Exhorting that any Private, Separate, Diſhonourable, or Deſtructive Negotiation of Peace, ſhou'd be continued or carry'd on between the Miniſters of *Great Britain*, and *France*, without Communication thereof to her Majeſty's Allies, according to their Treaties, or from being Inſtrumental in promoting any ſuch Negociation, as in the ſaid Article is charg'd, that he did not know or believe, that any ſuch Negotiation was entred into, and for a plain relation

tion of the ſaid Earl's Proceeding in this Affair, he ſaith, that about *May* 1711, being her Majeſty's Ambaſſador and Plenipotentiary, he receiv'd from one of her Principal Secretaries of State, a Paper ſuppoſ'd to be ſign'd by Monſieur *Torcy*, containing ſome Propoſals for ſetting on Foot a Negociation of Peace, with Orders to communicate the ſame to the Penſionary of *Holland*, that his Sentiments might be known thereupon, and to aſſure that Miniſter and others of that Republick, that the Queen was reſolv'd in making Peace, as in making War, to act in Concert with the States. In purſuance of which Orders, he the ſaid Earl did immediately communicate the ſaid Propoſals to the Penſionary, and unto two others of the States General, who had formerly been employ'd in the Negociations at *Gertruydenberg*, and whom the Penſionary thought the moſt proper to be entruſted with that matter; and they having conſider'd the ſaid Propoſals, did pray the ſaid Earl to return her Majeſty Thanks, in the Name of the States, for her Confidence in them, declar'd themſelves weary of the War, and ready to join in any Meaſures her Majeſty ſhou'd think proper for obtaining a good Peace, and that they hoped her Majeſty wou'd bring the *French* to explain more particularly the ſeveral Points contain'd in the above mention'd Propoſals. Of this the ſaid Earl ſent an Account to her Majeſty's Secretary of State, and ſoon after receiv'd her Commands to repair to *England*, and on his Arrival here, acquainted her Majeſty with his Proceedings at the *Hague*, but being by her Gracious Permiſſion allow'd to follow ſome private Affairs of his own, he was often in the Country, and ſo much engag'd, that he did not know of any of the Tranſactions with Monſieur *Meſnager*, or what was done in relation to the Explications the States had deſired her Majeſty to procure from *France*, upon the Points of Monſieur *Torcy*'s Propoſals, till in *October* following, he receiv'd Inſtructions dated the Firſt of that Month, whereby he was requir'd to return to *Holland*, and to communicate to the States ſome Propoſitions which had been ſign'd by the ſaid Monſieur *Meſnager* the 27th of *September* before, as a Foundation for opening the Conferences of Peace with *France*, which he ſuppoſes to be the Inſtructions intended by thoſe mention'd in the Preamble to the Articles, as dated the 21ſt of *October*, none of that

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Date appearing amongſt the Copies of his own Papers he has been permitted to take. But the ſaid Earl never ſaw Monſieur *Meſnager*. till he met him at *Utrecht*, in *January* 1711 12, Nor during all the time of the ſaid Miniſter's ſtay in *England*, was in the leaſt privy to, or made acquainted with any Tranſaction between him and any of the Queen's Miniſters. The ſaid Earl having receiv'd his ſaid Inſtructions took his Journey for *Holland*, and on his Arrival there, in purſuance thereof imparted to the States General the ſaid Propoſitions, and what had been communicated to him concerning any Tranſactions between *Great Britain* and *France*, and, at the ſame time, in further Purſuance his of ſaid Inſtructions, declar'd to them, that if they did not think thoſe Propoſitions a ſufficient Ground to open the Conferences, but were deſirous to carry on the War, her Majeſty was willing to concur with them, but cou'd no longer bear that diſproportionable Burthen which had been Yearly increas'd on her Subjects, nor that Deficiency her Allies had been guilty of in every Part of the War, and that therefore it was incumbent on them, if the War continued, to furniſh ſuch Quotas of Ships and Forces for the future, as they had to that time been wanting in; That this was what her Majeſty, thought ſhe might juſtly inſiſt on, that they ſhou'd comply with her in War, or in Peace, ſince in the former ſhe requir'd nothing but what it belong'd to them to perform, and what was neceſſary to the Succeſs of their Arms, and ſince in the latter ſhe had done and wou'd continue to do, what was in her Power towards obtaining ſuch a Peace as might be to the Satisfaction of Her Allies. Soon after this, the States General ſent Monſieur *Buys* into *England* as their Plenipotentiary, to confer with her late Majeſty's Miniſters, and inform himſelf of the Circumſtances of Affairs, and make report thereof to his Maſters, who having continued here ſome time, and tranſmitted to *Holland* an Account of the Poſture of Affairs, the States General conſented to open the Conferences for Peace, and to invite the other Allies to ſend their Miniſters to *Utrecht*, the Place agreed on for that Purpoſe, and in Order thereunto, granted Paſports for the *French* Miniſters to repair thither, and the ſaid Earl is inform'd, that amongſt other Tranſactions by the ſaid Monſ. *Buys* whilſt in *England*, he ſign'd a Treaty with her late Majeſty's Miniſters, who were empower'd for

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that Purpoſe, dated the 18th Day of *December O. S.* 1711. for the carrying on the War, and the Negociation of *Peace* according to the mutual Engagements of former Treaties between *England* and *Holland*, which Treaty was ratify'd by Her ſaid late Majeſty the Day after it was ſign'd, and was ſent to *Holland* by the then Lord Privy Seal, But the States General, tho' their Miniſters were often call'd upon, never ratify'd the ſame. And the Earl admits, that the ſaid Lord Privy-Seal and himſelf were appointed to be Her Majeſty's Plenipotentiaries at the ſaid Congreſs at *Utrecht*, and he can with great Truth affirm, that he acted on all Occaſions with the higheſt and moſt diſintereſted Zeal for procuring a General Peace, for the mutual Advantage of Her Majeſty's Subjects and Allies, in Purſuance of the Powers and Inſtructions receiv'd for that Purpoſe, and is firmly perſuaded his Colleague did the ſame. The ſaid Earl ſaith, that every one of the Confederates had their Miniſters at *Utrecht*, who all agreed in the Method and Manner of proceeding in the ſaid Negotiation, and had frequent Meetings and Conferences to that end among themſelves, in Order to lay down a General Scheme for their Conduct, and for the better concerting thoſe Meaſures, it was thought fit to have two Conferences a Week with all the Allies, two with the *Dutch* a part, and two of all the Allies with the *French*, and in thoſe with the *Dutch* and the other Allies what was to be propos'd on the part of the Allies to the *French* was always previouſly ſettled. In the firſt General Conference with the *French* Miniſters they offer'd either to proceed to the Explanation of the General Points ſign'd by Monſieur *Meſnager* (which they acknowledg'd were binding only to *France* and not to the Allies) or that each of the Allies ſhou'd make their Demands; On deliberation it was inſiſted by the Allies, that the *French* ſhou'd firſt give in a Specifick Plan of the Offers of the King their Maſter to all and each of the Allies, and the *French* conſented to give in ſuch Specifick Plan, in Caſe the Allies wou'd promiſe to return an Anſwer thereto containing their ſeveral Demands; and accordingly the *French* Miniſters did give in ſuch Plan in Writing, and the Allies in Anſwer deliver'd in their Demands alſo in writing. The *French* having thus given in their Conceſſions in writing, and receiv'd the Demands of the Allies in like manner, thought fit to propoſe

poſe the entring into Debate upon the ſeveral Propoſitions mutually deliver'd in agreeably to the Courſe of Proceeding in former Treaties; but tho' ſome of the Allies thought there was no Neceſſity of inſiſting very much on any further written Anſwer, yet others preſs'd it more vehemently, to which the *French* reply'd, that both Sides having already explain'd themſelves in writing, it was agreeable to the Method of all Negotiations to proceed to debate Matters, and in ſuch Debates ſpecifick Anſwers to each Demand of the Allies wou'd occur. And all the Allies agreed in this Principle, that the Method moſt expeditious and ſafe, whether by writing or otherwiſe, was fitteſt to be follow'd.

Thus having given your Lordſhip's a ſhort Narrative of the Proceedings, which might render his Anſwer to the ſeveral Particulars charg'd in this Article more intelligible, as to that Part which mentions his frequently concerting Private and Separate Meaſures with the Miniſters of *France*, the ſaid Earl doth acknowledge, that when the ſettling any particular Intereſt of *Great Britain* might require it, he and his Colleague might conſer with the Miniſters of *France*, in the ſame manner as the Miniſters of each of the Allies conferr'd ſeparately with thoſe of *France*, touching their reſpective particular Intereſts, and the ſaid Earl apprehends they were juſtify'd therein by their expreſs Orders from *England* for that purpoſe, and ſometimes the ſaid Biſhop and Earl had Separate Conferences with the Miniſters of *France*, at the Requeſt and on the Behalf of one or other of the Allies, whoſe regard to her Majeſty made them often deſire the Interpoſition of her Miniſters to ſupport their ſeveral Pretenſions, wherein the real and ſincere Endeavours of the ſaid Biſhop and Earl for the Intereſt of the Allies, always appear'd to the Satisfaction of thoſe on whoſe behalf they acted; But he denies that he did concert any Private or Separate Meaſures with the Miniſters of *France*, in order to impoſe upon or deceive her Majeſty's Subjects, or Allies, or tending to their Prejudice, or Detriment. And as to that Part which charges him with commending the Prudence of the *French* Miniſters, in refuſing to anſwer in Writing, the ſaid Earl ſaith, that after the Written Propoſitions and Demands on each Side had been deliver'd in, he took it to be a Matter in its own Nature indifferent, whether there

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ſhou'd be any further Tranſaction thereupon in writing or not, and whether it were better to proceed by way of Writing or by Conference, to adjuſt and ſettle the Terms of Peace upon the reſpective Offers and Demands which had been ſo given in. There was variety of Opinions, many of the Miniſters of the Allies declar'd it to be the moſt uſual and expeditious Method to proceed by way of Conference, which they thought gave better Opportunities of conſidering and explaining Matters, there being uſually ſeen a greater ſtifneſs and Obſtinacy in maintaining what is once put down in Writing, which oftentimes renders Negociations tedious, and ſometimes cloggs them with inſuperable Difficulties, and there ſeem'd to be juſt Ground for Suſpicion, that ſome who were moſt preſſing for the Method of Writing, might have thoſe ends in their View, which it became her Majeſty's Plenipotentiaries, as far as they cou'd, to obviate and prevent. If therefore the ſaid Earl inclined in his Private Opinion to the Sentiments of thoſe, who thought the way of Conference more expeditious and equally ſafe (admitting he had been miſtaken therein) he hopes it will not be imputed to him as a Crime, much leſs can he apprehend your Lordſhip's will eſteem it any Evidence of his encouraging the Enemy in any fallacious or unjuſtifiable Manner of Proceedings, if in a Letter from the *Hague* to a Miniſter of the Queen, before this matter had been fully conſider'd, he intimated the Thoughts he then entertain'd of it, ſince he takes it to be very proper for a Publick Miniſter abroad in his Correſpondence, with the more immediate Servants of the Crown at home, to give minute and particular Accounts of all Occurrences and Diſcourſes, to lay open his Thoughts, to ſuggeſt the firſt motions and ſuſpicions that ariſe in his Mind, and to deſcant upon things without reſerve, in Order to receive more plain, full and expreſs Informations and Directions for his better Proceeding; and the ſaid Earl believes it will appear, that if in any Letter he intimated his Thoughts upon that Subject, he did not give any poſitive Judgment, but ſuſpended his Opinion therein till he ſhou'd have opportunity of further conſidering it; and he ſaith, that when afterwards the Matter came to be more maturely debated among the Miniſters of the Allies upon his return to *Utrecht*, he did join in preſſing the Miniſters of *France* to give a further Anſwer in Writing; and as to

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that part, which chargeth the ſaid Earl with ſuggeſting Methods for *France*, to make uſe of to create Diſſentions among the Allies, and procure ſeparate Negociations between each of the Allies and *France*, he ſaith, that it was generally thought moſt proper, that the reſpective Demands of the Allies, which were ſometimes claſhing and contradictory to each other, ſhou'd be conſider'd a part, and not at General Conferences with the *French*, which ſeem'd the more requiſite ſince no Prince or State had undertaken the Part of a Mediator to reconcile the Differences which might happen to ariſe among them, as has been uſual in former Treaties; if therefore in a Letter to a Miniſter of the Queen, from the Conſideration of the Poſſibility that ſome might be for the contrary Method, he intimated the Inconvenience of ſuch a Method, wou'd beſt appear by beginning in the Congreſs to argue on ſome Demand of one of the Allies, which wou'd probably induce ſuch Ally to propoſe the debating ſeparately; he hopes this can never be conſtrued the Suggeſting a Method for *France* to make uſe of to create Diſſentions among the Allies, or which cou'd have any Tendency to diſſolve the Confederacy, it ſeeming to him rather a likely Means to prevent any ſuch unhappy Conſequence. Sure he is, that he ſincerely labour'd to prevent it, and for that End, employ'd his utmoſt Endeavours to obviate and diſcourage any fallacious or unjuſtifiable Manner of tranſacting the Negociation of Peace; and he denies that he did at any Time ſuggeſt any Method whatſoever for *France* to make uſe of, to create Diſſentions among the Allies, or ſeparate Negociations between any of the Allies and *France*, thereby to diſſolve the Confederacy; and as he conſtantly oppos'd what he apprehended or ſuſpected to have any ſuch Tendency, ſo he never failed to ſupport, in the beſt Manner he cou'd, Her Majeſty's Allies in their Demands againſt *France*; and denies that in the Courſe of the Negociation, he was guilty of any treacherous Proceeding, or of any Practices whatſoever, whereby he could proſtitute the Honour of the Queen, or the Imperial Crown of theſe Realms, or whereby he did violate his Powers or Inſtructions, the Treaties Her Majeſty ſtood engag'd in to Her Allies, or any Aſſurances he had given them by Her Order, or in Her Name, or whereby the Deſign of the Confederacy, or the Support

expected from it were render'd uſeleſs, or the Affairs of *Europe* given up into the Hands of *France*.

ANSWER to the Second Article.

IN Anſwer to the Second Article, the ſaid Earl ſaith, he always thought an Union and good Correſpondence between Her late Majeſty and the Illuſtrious Houſe of *Hannover* of the utmoſt Importance, and therefore uſed his beſt Endeavours to continue and improve it, and never had the leaſt Deſign to create or widen any Differences or Miſunderſtandings between them. He acknowledges, that the Parliament with great Wiſdom provided Laws for preſerving the Proteſtant Religion, eſtabliſhing the Proteſtant Succeſſion, and laying the Obligation of an Oath on the Subjects of theſe Realms to maintain the ſame. And the ſaid Earl humbly hopes, that he in his Station, hath never been wanting in his faithful Endeavours for the Security thereof, and to his great Honour he hath frequently receiv'd from her late Electoral Highneſs the Princeſs *Sophia*, and from his preſent Majeſty, their Approbation of his Zeal for their Service, and he does with great Pleaſure and Satisfaction reflect on the happy Succeſs of his Endeavours in the late Treaty of Peace at *Utrecht*, by which *France* and *Spain* were brought to acknowledge our preſent Sovereign's Right of Succeſſion to the Imperial Crown of theſe Realms, and to engage never to oppoſe or diſturb the ſame directly or indirectly, whereby his Majeſty had a peaceable Acceſſion to the Throne, and the Benefit of the ſeveral Laws made in Support of the ſaid Succeſſion will more ſecurely be tranſmitted to Poſterity. The ſaid Earl denies, that he by falſe Repreſentations, or by any Reflections upon his Majeſty when Elector of *Hannover*, in any Letter to the late Queen's Miniſters, or otherwiſe, did endeavour to alienate Her Majeſty's Affections from his Electoral Highneſs, and ſaith, that to ſuch a General Charge it is impoſſible to make any particular Anſwer or Defence, but the ſaid Earl is firmly perſwaded, there is not any Expreſſion in any Letter by him wrote, that carries the Appearance of any ſuch falſe Repreſentation or Reflections, ſuch Expreſſions being as remote from his Heart and Intentions, as they are inconſiſtent with that Reſpect to the Illuſtrious Houſe of *Hannover*, which by the whole Tenor of his Actions he hath endeavour'd to demonſtrate, and therefore the ſaid Earl hath that Aſſurance of Your Lordſhip's Juſtice, to believe

lieve that no doubtful Words or Paſſages contain'd in any of his Letters, no Accounts or Cenſures (if any ſuch there be) of what was ſaid or done by any Miniſter or Servant of his Electoral Highneſs, inconſiſtent as he apprehended with that Deference which ought to have been paid to Her late Majeſty, will be taken by Your Lordſhips as an Evidence of any Deſign to alienate Her late Majeſty's Affections from his then Electoral Highneſs, or to create or widen any Differences or Miſunderſtandings between them, with which the ſaid Earl is charg'd in the ſaid Article; and as to the particular Reflection ſuppos'd to have been made by the ſaid Earl in his Letter of the 17th of *July* 1712, on his then Electoral Highneſs, the ſaid Earl humbly hopes that Your Lordſhips will not interpret any Expreſſion in that Letter to have been meant of his Electoral Highneſs, who is not ſo much as once nam'd throughout the ſame, and whom the ſaid Earl hath never mention'd in any Letter whatſoever, without the higheſt Reſpect and Veneration, but that Your Lordſhips will rather underſtand it as it is meant, with Reſpect to the General of the *Hanover* Troops, whoſe Conduct, the ſaid Earl owns, he hath expreſs'd himſelf, as well in that as in ſome preceding Diſpatches not to have been entirely ſatisfy'd with. How far he was right in his Opinion he ſubmits to Your Lordſhips wiſe Determination, but humbly hopes that no Repreſentation thereof by him made, however he may be thought to have been miſtaken therein, proceeding only from a ſincere Zeal for the Honour of his Royal MISTRESS and the Intereſt of his Country, can be judg'd criminal. And the ſaid Earl ſaith, that the late QUEEN was ſo far from being prevail'd on by his Advice to make a Ceſſation of Arms with *France* without Concert with his Electoral Highneſs, or againſt the Conſent or Repreſentations of any of the Allies, that he can, and doth with Truth affirm, that Her Majeſty's Reſolutions concerning the ſaid Ceſſation were not taken upon his Advice, or with his Privity. The ſaid Earl doth admit, that about *June* or *July* 1712, he was ſent to the Army by Her Majeſty's Command, with particular Inſtructions touching the ſaid Ceſſation, and that in Purſuance of his ſaid Inſtructions he diſcours'd ſeveral of the Generals of the Allies, particularly *Monſieur Buleau*, and that he might in ſuch Diſcourſe on the 16th of *July* 1712, affirm, as he then thought, that Her Majeſty had made no

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Truce with *France*, and the ſaid Earl was then of that Opinion, the Articles demanded by Her Majeſty for a Ceſſation of Arms as the Conditions without which no Ceſſation was to be made, not having at that Time, to his Knowledge or Belief, been perform'd by *France*. And the ſaid Earl can aſſuredly ſay, that he doth not remember he hath at any Time knowingly affirm'd to the Miniſters of his ſaid Electoral Highneſs, or any other of the Allies, any Untruths, or any Thing contrary to the Intention or Intereſt of the late QUEEN, thereby to deceive or impoſe upon his Electoral Highneſs, or any of Her Majeſty's Allies, and apprehends he hath not in any of his Negociations or Proceedings, proſtituted or diſhonour'd the Character he was inveſted with, or done any thing tending to diſſolve the mutual Confidence and good Underſtanding between Her late MAJESTY and the Illuſtrious Houſe of *Hanover*.

ANSWER to the Third Article

IN Anſwer to the Third Article, the ſaid Earl denies, any pernicious Negociations of Peace to have been carry'd on by him with the Miniſters of *France*, and ſaith, that in the Paper mentioned in his Inſtructions to be ſign'd by Monſieur *Meſnager*, and deliver'd to him, together with the ſaid Inſtructions, on or about the Firſt Day of *October*, 1711, it is ſaid the *French* King will acknowledge the Queen of *Great Britain* in that Quality, as alſo the Succeſſion to that Crown according to the preſent Eſtabliſhment and in the Specifick Explanations of the Offers of *France*, deliver'd the 11th of *February* following, it is ſaid the King will acknowledge at the Signing of the Peace, the Queen of *Great Britain* in that Quality, as well as the Succeſſion to the Crown according to the preſent Eſtabliſhment, and in a manner moſt agreeable to her *Britannick* Majeſty. But the ſaid Earl denies, he ever heard that the *French* K. propos'd ſuch acknowledgment ſhou'd not be before the Signing of the Peace, nor doth he conceive how the Propoſal before the entring into the Negociations of Peace, indefinitely to acknowledge the Queen, and the ſubſequent Conceſſion to do ſo at the Signing of the Peace, in what manner her *Britannick* Majeſty ſhou'd pleaſe, doth neceſſarily inferr, that he wou'd not do it ſooner, nor are there in any of the Propoſitions from the *French* King, any Negative Words that he wou'd not do it ſooner, as intimated in this Article; And the ſaid Earl apprehends, that in Fact

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he did it ſooner, for when the Sieur *Meſnager* came into *England*, the ſaid Earl is inform'd, he brought with him a Credential Letter from the *French* King, wherein her Majeſty was ſtiled and acknowledged Queen of *Great Britain*, and in the very firſt Offers and General Conferences at *Utrecht*, the *French* Miniſters named her *Britannick* Majeſty in ſuch direct manner, that the Miniſters of the Allies, took it for a plain and ſufficient Agnition, and the *French* Miniſters underſtood it in the ſame manner, who continued to name her Majeſty as Queen, without reſerve, in their Diſcourſe and Letters to her Majeſty's Plenipotentiaries, and altho' the ſaid Specifick Explanation may in ſome Part of it, ſeem to referr to a future Agnition, to prevent the Imperial and other Miniſters of the Allies, from inſiſting likewiſe on a preſent Acknowledgment of the Titles of their Maſters, which might probably have put a ſtop to the Negociation; yet the ſaid Earl conceives the Agnition of the Queen was not thereby the leſs manifeſt, and is humbly of Opinion, that her Majeſty was treated with diſtinguiſhing Marks of Reſpect, in as much as thoſe Titles were given her throughout the whole Courſe of the Negociation, which had not been allowed on the like Occaſions to other Princes till the Concluſion of Peace. It is well known the Title of his late Majeſty King *William*, was not acknowledg'd at *Ryſwick* till that Peace was ſign'd, nor was the Emperor's or the King of *Pruſſia's* own'd during the late Negociations till the concluding their reſpective Treaties of Peace. When therefore the ſaid Earl had no Inſtructions to inſiſt upon a more formal Acknowledgment, he hopes he cannot be charg'd with any want of Duty to her Majeſty, or want of Zeal for the *Proteſtant* Succeſſion, in not adviſing her Majeſty againſt treating with *France*, upon the Terms on which She enter'd into the Negociation at *Utrecht*. The ſaid Earl believes, the Houſe of Lords conceiving the *French* King had propos'd to acknowledge her Majeſty's Title to theſe Realms, no ſooner than when the Peace ſhou'd be ſign'd, did by their Addreſs of the 15th of *February* 1711, with a commendable Zeal, repreſent to her late Majeſty, their juſt Indignation at ſuch diſhonourable Treatment, and expreſs their Reſentment at ſuch Terms of Peace, offer'd to her Majeſty and her Allies, by the Plenipotentiaries of *France*, and it was agreeable to the Duty

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and Affection, that Auguſt Aſſembly always demonſtrated towards that Excellent Princeſs, to be touched with the leaſt appearance or apprehenſion of Diſreſpect to her Sacred Perſon, and her Majeſty being ſenſible that their Addreſs proceeded from thoſe Motives, was pleaſed to return them her hearty Thanks for the Zeal they expreſs'd for her Honour; and the ſaid Earl admits, that in a Letter from a Secretary of State, to the then Lord Privy Seal and himſelf, mention was made of the ſaid Addreſs, and thereupon they gave an Account of the Steps by them taken on this Subject, to the following Effect. That the Day after the Receipt of that Letter, the *French* Plenipotentiaries were told, that the deferring to make a formal Agnition of the Queen at firſt, having had all the Effect intended, it wou'd be proper then to do it more formally, (for reaſons with which it was needleſs to acquaint them) otherwiſe it wou'd be neceſſary to inſert it in the *Britiſh* Demands. That they made no other Difficulty in it but this, that having reported to their Court, how that matter had paſs'd, they ought in Decency to give Account of what was then deſir'd, and ſaid, they doubted not, in Ten or Twelve Days, to give entire Satisfaction therein, but being preſs'd to do ſomething immediately, they agreed that if her Majeſties Plenipotentiaries wou'd write to them, they wou'd give an Anſwer, whereby the Queen ſhou'd be directly acknowledg'd, which was accordingly done, and the ſaid Earl believes, that a Copy thereof might be tranſmitted to *England*, but not the Original, and denies, that to his Knowledge, it was a Colluſive Letter, or that there was any Agreement between the *Britiſh* and *French* Miniſters, not to make uſe of it at *Utrecht*, or not to have it taken as an Acknowledgment by *France*, of the Queen's Title to the Crown, or that the Copy of it was tranſmitted with Deſign to deceive or impoſe upon the Queen or Parliament, nor doth he know or believe, it was made uſe of, for any ſuch Purpoſe. But he takes it to have been an actual Acknowledgment of the Queen's Title by *France*, and a further Evidence that ſuch Agnition was not deferr'd till the Signing of the Peace, tho' it was intended to be then made in a more ſolemn manner; and the ſaid Earl believes, the Honourable Houſe of Peers, for whoſe Judgment, he ever had the higheſt Veneration and Regard, were ſatisfy'd in this Point ſince, by their Addreſs of the 10th of *June* following,

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after they had been acquainted by her Majeſty's Speech from the Throne, with the Terms on which a General Peace might be had, they thought fit to thank her Majeſty for her Condeſcenſion therein, and did expreſs their Relyance on her Wiſdom, to finiſh that great and good Work, as the Houſe of Commons alſo did, by their Addreſs to her Majeſty about the ſame time, and the ſaid Earl is well aſſur'd, he was not wanting in his Zeal and Regard for the Security of the *Proteſtant* Succeſſion, on which Head the *Britiſh* Plenipotentiaries at the very firſt General Conference with the *French* Miniſters at *Utrecht*, preſs'd their Explanation, and they agreed thereunto, and when the Allies deliver'd their reſpective Demands, the Queen's Miniſters on their part, inſiſted in ſuch manner on what related to the Security of the Succeſſion, that the Princeſs *Sophia* was pleas'd to Honour them with a Letter of Thanks, and to acknowledge their Care of the Intereſt of her Family, nor were they leſs careful, at the Concluſion of the Treaty, to ſettle that important Point, with the utmoſt Exactneſs to the Satisfaction of the Queen and Court of *Hanover*, and both Houſes of Parliament, and the Articles for that Purpoſe, were not only conceived in ſtronger Terms than had been made uſe of at *Ryſwick* for acknowledging the then Settlement of the *Crown*, but before they were inſerted in the Treaty, were communicated to the Miniſter of the Elector, and had his *Approbation*, and the Manner of that Tranſaction ſeem'd ſufficiently juſtify'd from the happy Effects. The ſaid Earl abſolutely denies, that he did ever concert or agree with the Miniſters of *France*, that any Propoſals mention'd in the ſaid Article, or any other Propoſals whatſoever, ſhou'd be the Conditions whereon *France* ſhou'd treat of Peace with *Great Britain*, nor doth he know, that the Queen, the Parliament, or the Nation, were in any Reſpect abus'd or drawn into *Deſtructive Meaſures*, or that any Step was taken on this Occaſion, whereby *Diſhonour* cou'd accrue to Her Majeſty, or theſe Kingdoms, or any *Danger* to the *Proteſtant Succeſſion*.

ANSWER to the Fourth Article.

IN Anſwer to the Fourth Article, the ſaid Earl ſaith, that the Biſhop of *Briſtol* and himſelf being appointed Her Majeſty's Plenipotentiaries, did ſoon after their Arrival at *Utrecht*, purſuant to their Inſtructions, begin by concerting

ting with the Miniſters of the Allies in what Manner it was moſt proper to open the Conferences, and what Method was to be obſerv'd in the Progreſs of the Treaty, and if it had been thought proper to begin with the Diſpoſition of the *Spaniſh* Monarchy, the ſaid Earl was ready to have inſiſted as the ſaid Inſtructions directed him to do in that Caſe. But upon ſuch Concert, it was thought moſt adviſeable, and ſo agreed by all the Miniſters of the Allies, that each of them ſhou'd by a ſeparate Inſtrument make their reſpective Demands, with a general Clauſe to ſupport each others Juſt and Reaſonable Pretenſions, and this was look'd upon as the moſt proper Method, and neceſſary to avoid that Confuſion which wou'd otherwiſe enſue from the Contrariety of the Demands of the ſeveral Allies, it being then known, that many of them did, and wou'd inſiſt to have the ſame Thing for themſelves in Oppoſition to each other. The Imperial Miniſters as well as the reſt acquieſc'd in that Method: and at a following Conference it was further deſir'd, that there ſhou'd be added to ſuch general Clauſe the Words, *in Conformity to their Alliances*, with which the ſaid Biſhop and Earl, as well as the others, moſt readily comply'd, and theſe Words were accordingly added to the general Clauſe in each of the Allies Demands, which ſeem'd to give a general Satisfaction, and there was nothing further at that Time inſiſted on. In Conſequence of this Agreement, it was the general Expectation, that the Demand relating to *Spain* and the *Weſt-Indies*, ſhou'd be particularly inſerted only in the Inſtrument to be given in by the Imperial Miniſters. But there having been a Day long before fixt for delivering in to the *French*, all the Demands of the Allies, the Imperialiſts, the very Night preceeding, at a Conference propos'd, that all the Allies ſhou'd mention *Spain* and the *Weſt-Indies* likewiſe in their ſeveral Demands. This cauſed a general Surprize, and none but the Miniſters of *Portugal* concurr'd with them, and thoſe of the *States* in particular declar'd, the ſaid Dominions ought to be demanded by them whom it did immediately concern, and that the Method Things had been put into cou'd not ſuffer it to be otherwiſe. But the next Morning, to give Content to the Imperialiſts, they yielded to make a *verbal Declaration* among the Allies, that they were reſolv'd to make good all their Treaties on Occaſion of this War, as well

well as thoſe that related to *Spain*, as thoſe made with *Portugal*, *Pruſſia*, *Savoy*, and others. The *Britiſh* Plenipotentiaries likewiſe to give the like Satisfaction declared publickly at the Conferences the ſame Day, that as Her Majeſty inſiſted for a Juſt and Reaſonable Satisfaction for all Her Allies in Conformity to all Her Alliances, thoſe that might concern *Spain* and the *Indies* were underſtood thereby, as well as others that concern'd the Intereſt of the reſt of the Allies, wherewith the *Auſtrian* and *Portugal* Miniſters ſeem'd ſatisfy'd, nor did they requeſt any Thing further from the ſaid Biſhop and Earl on that Head, and therefore, he humbly apprehends, that in the Negociation he neither declin'd to inſiſt, that *Spain* and the *Weſt-Indies* ſhou'd not be alotted to the Houſe of *Bourbon*, as far as his Inſtructions directed him to act in Concert with the reſt of the Allies, nor refus'd to joyn with the *Imperial* and *Portugal* Miniſters, or either of them to ſtrengthen that Demand in ſuch Manner as was proper; but in this and all other Matters he purſu'd with Conſtancy the Orders he from Time to Time receiv'd from Her Majeſty, as the Nature and Circumſtances of Things wou'd give Leave, and in Caſe Her late Majeſty found it impracticable to perſiſt in Her firſt Deſigns of gaining *Spain* and the *Weſt-Indies* from the Houſe of *Bourbon*, and thought other Expedients for preventing the Union of the Two Monarchies of *Spain* and *France* might as well anſwer the Ends of her ſeveral Alliances, and did thereupon enter into other Meaſures for obtaining a General Peace, in which Her Allies concurr'd, the ſaid Earl hopes, that his conforming himſelf to the Meaſures not only preſcrib'd by Her Majeſty, whoſe Miniſter he was, and whom it was his Duty to obey, but alſo approv'd by both Houſes of Parliament, will not be eſteem'd an acting in Defiance of the Treaties between Her Majeſty and Her Allies, in Contempt of the Advice or Opinion of Parliament, or in Violation of his Inſtructions; and he cannot entertain ſuch Diffidence of Your Lordſhips Juſtice and Goodneſs, as to ſuſpect that his Actions which proceeded from a Principle of Obedience to his Sovereign, and Zeal for the publick Service, ſhou'd be condemn'd as perfidious or unwarrantable. And the ſaid Earl denies, that by any of his Practices, any Jealouſies or Diſcords were

created between Her Majeſty and Her Allies, the mutual Confidence between them was diſſolv'd, the Juſt Ballance of Power in *Europe* betray'd, or an Advantage given to the Common Enemy to impoſe what Terms of Peace he ſhou'd think fit upon Her Majeſty, or any of the Confederates.

ANSWER to the Fifth Article.

IN Anſwer to the Fifth Article, the ſaid Earl doth acknowledge, That Her late Majeſty in Her Speech from the Throne on the Seventh Day of *December*, 1711, having acquainted her Parliament, that both Time and Place were appointed for Opening a Treaty of Peace, did, at the ſame Time, remind them that the beſt Way to make a Treaty effectual, wou'd be to make early Proviſion for the Campaign, and believes Supplies were granted, and Magazines provided for that End. But the ſaid Earl ſaith, that at the Time in the ſaid Article for that Purpoſe mention'd, he was not inform'd of any reaſonable Proſpect the Confederates then had of gaining new Conqueſts over the Army of *France*, nor doth he believe that the Confederate Army at that Time was the ſtrongeſt that had been in the Service during the whole Courſe of the War, but upon the Informations he receiv'd at the *Hague* about the 19th and 30th of *April*, 1712, he underſtood that the *French* were better poſted than the Confederates, and their Army ſtronger, and that the Confederate Forces cou'd not march to ſurprize the *French* in their Lines till they had green Forrage, which cou'd not be up in 3 Weeks at ſooneſt, and that the *French* had all their Troops, and the Confederates wanted great Part of theirs, eſpecially the *Imperialiſts*, who, 'twas thought, cou'd not, and, in Fact, did not join the Army till about a Month after; and the ſaid Earl conceiving the Treaty of Peace in ſo great Forwardneſs, that by a conſtant Application of the Plenipotentiaries, it might probably be brought to a Concluſion in a Month's Time, he did, upon theſe Conſiderations apprehend it wou'd not have been any Diſſervice to the Common Cauſe, if a Ceſſation of Arms for a Month had then been agreed on, during which Time, the Negociation might have been ended one Way or other, and he believes that according to his Duty he might about that Time in a Letter to Her Majeſty's

ſty's Secretary of State ſend an Account of the Poſture and Condition of the Two Armies; but denies, that he took upon him to counſel or adviſe on that Subject, but only propos'd the Matter for further Deliberation in *England*, if upon thoſe or other Accounts, ſuch a ſhort Ceſſation ſhoud be thought neceſſary; much leſs did he then, or at any other Time ſuggeſt or adviſe any Ceſſation of Arms to be made with *France*, without, or againſt the Conſent of the Allies, or with Deſign to diſappoint any juſt Expectation they might have, or to give Succeſs to any ſecret or wicked Negociation whatſoever: And he is not yet ſenſible, that a Ceſſation for a Month at that Time cou'd have been any Hindrance or Prejudice to the Cauſe of the Allies, or have given the leaſt advantage to the Enemy. However, in Fact, no Ceſſation was made upon his ſaid Letter. The ſaid Earl ſaith, he doth not know or believe, that in Purſuance of any Counſel or Advice given by him, any Directions were ſent to Her Majeſty's General in *Flanders* to avoid engaging in any Siege, or hazarding a Battle; nor was he privy to the ſending any ſuch Directions, and he denies, that he adviſed Her late Majeſty to ſend any Perſon, much leſs himſelf from *England* to the Army in *Flanders* to cauſe a Ceſſation of Arms to be made or proclaim'd between Her Majeſty and the *French* Army, but acknowledges, that he being Her Majeſty's Ambaſſador, She was pleas'd to give him Orders and Inſtructions under Her Sign *Manual* dated the 21ſt of *June*, 1712, whereby he was commanded to make all poſſible Diſpatch to the Army in the *Low-Countries*, and upon his Arrival there to inform Her General and Commander in chief of the Reſolutions taken in the then Important conjuncture of affairs, and alſo to declare, to the Generals and Commanders in chief of the Foreign Troops in Her Majeſty Pay, and in the Joint Pay of Her Majeſty and the *States General*, *With how much Surprize Her Majeſty heard there was the leaſt Doubt of their Obeying ſuch Orders as they ſhou'd receive from Her ſaid General, and likewiſe Commanding the ſaid Earl to continue with the ſaid Army till the Affair of the Suſpenſion of Arms and the Surrender of* Dunkirk *was determin'd one Way or other*, and that thereupon he reſorted to the *Hague*, and there in Conjunction with his *Colleague*, the then Lord Biſhop of *Briſtol*, ac-

acquainted the *States General* with Her Majesty's Intentions for a short Cessation of Arms between the Armies in the *Netherlands*, upon certain conditions to be perform'd by *France*, one of which was the Surrendry of *Dunkirk* into Her Majesty's Possession, invitiug the *States* to joyn with Her Majesty therein; after this the said Earl proceeded to the *Army*, and acted onformably to his said Instructions, and hopes, that what was the Performance of his Duty will not be imputed to him as a Crime. But the said Earl denies, that any Cessation or Separation of the Troops was executed or perform'd by his advice, nor was he otherwise concern'd therein, than in signifying the Orders he had in Command from Her Majesty to Her General, and he believes, from the best Judgment he can make upon the then Situation of Affairs, that if the Cessation that was made by Her Majesty had been generally comply'd with by the rest of the Army, it wou'd have encreas'd the Confidence between Her Majesty and Her Allies, and have oblig'd the *French* King more speedily to comply with their Demands in the Negociations of Peace: And that the most promising Expectations from the Operations of the Campaign, during those two Months for which the Cessation was to continue, cou'd not equal the Advantage accruing to the Confederates by the Surrender of the Important Fortress of *Dunkirk*, which was put into Her Majesty's Hands as one of the Conditions of it.

Answer to the Sixth Article.

IN Answer to the Sixth Article, the said Earl not admitting, that he did advise or procure a Cessation of Arms, or obtain for *France*, any Separation of the Troops of *Great Britain*, from the Confederate Army, or was otherwise concern'd therein, than as in his Answer to the preceding Article is set forth, denies with a just Abhorrence, that he ever had any treacherous Purposes, to advance or promote the Interests of *France*, or to render any future Correspondence or Harmony, between her late Majesty and the States General impracticable, or to weaken or distress the said States, or bring them under any Necessity of complying with, or submitting to the Measures of *France*. Nor did, or doth he know or believe,

lieve, that the taking Poſſeſſion of *Ghent* and *Brughes* by the *Britiſh* Troops, was likely to produce any ſuch Conſequence; on the contrary, he conceives, that it was very much for the Advantage of the Allies, eſpecially the States General, that the *Engliſh* Troops took Poſſeſſion of thoſe Towns, which wou'd otherwiſe, in all Probability, have fall'n into the Hands of the *French*. The ſaid Earl doth acknowledge, that when the *Britiſh* Troops were left by the other Forces, and ſeparated from them, and were under a Neceſſity of retiring to ſome Place of Security; and it was reported, that the *Dutch* had given Orders, to all the Commanders of the Towns in their Poſſeſſion, to refuſe them Admittance or Paſſage, he did not think the Reſolution improper, which was taken by her Majeſty's General, to ſend a Party of the Queen's Troops, to march through ſome Part of thoſe Towns, to make Experiment, whether they wou'd refuſe them Paſſage, for if Paſſage ſhou'd not be refus'd, then the *Dutch* wou'd be vindicated from the Report which had been given out, ſo highly reflecting on their Honour, and ſo repugnant to the repeated Profeſſions and Aſſurances of the good Will and Friendſhip they had ſo conſtantly declar'd for *Great Britain*, and if ſuch Paſſage ſhou'd be refus'd it wou'd demonſtrate the Neceſſity the *Engliſh* Troops were under, of reſorting to *Ghent* and *Brughes*; however doth not admit that he did adviſe therein, much leſs had he any ſuch hopes or treacherous Deſigns, as in the ſaid Article are mention'd. Nor did he ſeek any Pretence to put in Execution, any Deſign or Reſolution concerted with the Miniſters of *France*, nor was any ſuch Deſign or Reſolution to his Knowledge or Belief concerted. The ſaid Earl doth believe, that a Party of the Queen's Troops, being ſent with Intentions to obtain admittance into ſome of the Towns in *Flanders*, where ſome of the *Engliſh* Magazines and Hoſpitals were, or at leaſt to obtain Paſſage through them, to ſome other Places of Security, were refus'd by the *Dutch* Commanders, altho' thoſe Towns had been conquer'd chiefly with *Britiſh* Blood and Treaſure, but the States General diſavowed their giving any Orders for that Purpoſe, and thereby reſcued themſelves from the Reproach of an Uſage, that might have been thought Inhumane to Confederate Troops, who had ſpent their Blood for their Service, and had done no Act of Hoſtility, nor

given

given any juſt Reaſon to the States, to apprehend any ill Conſequences, from ſuch Paſſage or Admittance. The ſaid Earl doth acknowledge, that after this Refuſal of the *Dutch* Commanders to receive any of the Queen's Troops into, or permit them to paſs through the Towns in their Poſſeſſion, they retir'd into *Ghent* and *Brughes*, the former having been their uſual Quarters, and the Citadel thereof, having been garriſon'd by them, from the beginning of the Campaign. But the ſaid Earl does not know or believe, there was any treacherous or deſtructive Deſign, in the marching of thoſe Troops into, or taking Poſſeſſion of thoſe Towns; nor doth he know or believe, it was done in Concert with any of the Miniſters of *France*, who he is confident were not privy to it, nor knew any thing of it, till after it was executed, nor doth the ſaid Earl diſcern, how it contributed to the Prejudice of the Confederates, or the advantage of the *French* Army; but on the contrary, the ſaid Earl is very well aſſur'd, that it prov'd greatly to the Advantage and Security of the former, whoſe Convoys were thereby protected, and the Communication between *Holland*, and the Confederate Army kept open; and the Advantages thereby to the common Cauſe, were ſo notorious and viſible, that the Allies frequently expreſs'd their Satisfaction, that thoſe mportant Places had been ſo well ſecured, by which means the Allies had all the Advantages of thoſe Towns without being at the Expence of Garriſons, the furniſhing of which, wou'd have oblig'd them to make ſuch Detachments from their Army, as wou'd have render'd it difficult for them to have kept the Field; and on the other hand the *French* Miniſters frequently complain'd of the great Diſadvantages occaſion'd thereby to the Arms of their Maſter, whom they thought not well treated by her Majeſty on that Account; and the ſaid Earl apprehends that the *Britiſh* Troops had equal Right, with thoſe of the States, to enter into *Ghent* and *Brughes*, or any other Place of the Low Countries, which by Agreement were under the joint Government of the Queen and the States General; and this happen'd at that time to be of the greater Importance, Queen's Troops were thereby enabled to maintain Communication with *Dunkirk* and *England*, and was afterwards found likewiſe very uſeful towards obtaining the Removal of the unjuſtifiable Impoſitions laid by the *Dutch*

upon

upon *British* Merchandize in the New Conquests in the Netherlands, which they themselves had many Mouths owned to be a Grievance, but had not before thought fit to redress.

The said Earl humbly hopes, he has fully answer'd the several Articles exhibited against him, and he doubts not but your Lordships will in your great Wisdom, maturely weigh the Nature of the *Chargo* which is chiefly founded on his Transactions abroad with the *Ministers* of Foreign Princes and States, whose Testimony, tho' never so material towards clearing his Innocence, it will be impossible for him to produce. He assures himself, Your Lordships will have a due Regard to the wide Extent, and the great Length and Intricacy of the Negociations wherein he was engag'd by his late Sovereign's *express Commands*, to which he did the more chearfully submit, being joyn'd in the most considerable Parts thereof with a *Reverend Prelate*, whose long Residence *Abroad*, and Experience in the Methods of treating with Foreign Princes and States, had abundantly qualify'd him for the Discharge of so Important a Trust. However, the said Earl on his Part may in any Respect have been unequal to the Province assign'd him, yet sure he is, that he always endeavour'd to acquit himself therein with the utmost Integrity, and cannot but express a Just Detestation of the many evil Intentions wherewith he is loaded by the said Articles And as he humbly apprehends the several Facts mentioned in the Articles, (if they cou'd be prov'd) will not appear Criminal, abstracted from the ill Motives and Designs, from which they are suppos'd to proceed, so he is fully perswaded your Lordships will distinguish between the Actions themselves, and the Intentions where-with they are charged to be done; and he assures himself, that your Lordships will judge of the Sincerity of his Intentions, by the Tenor of all his Letters and Papers, and not by any particular Passages selected from them, and is secure in your Lordships Justice, that no strained Construction of any such Passages, will be made by your Lordships to his Prejudice. He cannot but think himself extreamly unfortunate in falling under the Displeasure of the Honourable House of Commons, nor cou'd he receive the first Intimation of it without the greatest Surprize, not being conscious to himself that he had transgress'd any known

known Law. He was not without hopes, having ſpent the beſt and greateſt part of his Life abroad in the Army, and in ſeveral Embaſſies, always endeavouring to promote the Welfare of his Country, that he might at his Return, have met with its Approbation, as a Recompence for his long and faithful Services. However, he comforts himſelf with this Reflection, that every Step of the Proceedings in the late Negociation, was laid before her Majeſty, and receiv'd her Royal Approbation, nor will it, he conceives, be judg'd improper, if he obſerves to your Lordſhips, that the States in their Letter to her Majeſty, a little before the Signing the Peace, acknowledg'd they cou'd not enough commend her Plenipotentiaries, for the Aſſiſtance they had given them, in their Treaty with *France*, and that all the Allies gave frequent Marks of their Eſteem for the ſaid Earl and his Colleague, on account of the many Services they had receiv'd from them.---- The ſaid Earl is confident it will appear to your Lordſhips, that altho' he did with the utmoſt Application, purſue the Good of his own Country, preferably to that of any other Nation whatſoever, yet he was never wanting to promote the Advantage of the Allies, particularly of the States General, where it did not interfere with the Intereſt of *Great Britain*.--- A Separate Treaty of Peace was ſo far from his Thoughts, that on the contrary, he was truly Zealous to make it General, and he had the Happineſs to ſucceed therein, in as Great a Degree as was ever known, when ſo many Confederates were concern'd---- Nor was the ſaid Earl, leſs Zealous in ſupporting to the utmoſt of his Abilities, the Honour and Reputation, of his late Royal Miſtreſs, which was ſo far from being proſtituted or ſuffering any Diminution by his Negociations, that her Majeſty did through the whole Courſe of thoſe Negociations, and to the very Hour of her Death, maintain as Great and Glorious a Character, as any of her Royal Predeceſſors, or as ſhe herſelf had done, in any former Part of her Reign.

And as to all matters and things in the ſaid *Articles* contain'd, and not herein before particularly anſwer'd, the ſaid Earl ſaith, he is not guilty of them, or any of them in the manner and form as the ſame are charg'd upon him in and by the ſaid *Articles*, and humbly ſubmits himſelf to Your Lordſhips Judgment.

FH

MVSEVM
BRITANNICVM